

NUCLEAR WORKERS COMPENSATION PUBLIC MEETING

JUNE 3, 2002

6:00 - 8:00

OAK RIDGE MALL CUMBERLAND ROOM

FACILITATOR: MR. BARRY LAWSON

MR. MICHAEL HOLLAND, ACTING MANAGER, OAK RIDGE  
OPERATIONS, U.S. DEPARTMENT OF ENERGY

PANELISTS:

MS. BEVERLY COOK, ASSISTANT SECRETARY FOR ENVIRONMENT,  
SAFETY AND HEALTH, U.S. DEPARTMENT OF ENERGY

MR. PETER TURCIC, DIRECTOR, ENERGY EMPLOYEES  
OCCUPATIONAL ILLNESS COMPENSATION PROGRAM OFFICE, U.S.  
DEPARTMENT OF LABOR

MR. DAVE SUNDIN, DEPUTY DIRECTOR, OFFICE OF  
COMPENSATION ANALYSIS AND SUPPORT, NATIONAL INSTITUTE  
FOR OCCUPATIONAL SAFETY AND HEALTH (NIOSH)

---

JOAN S. ROBERTS

COURT REPORTER

P.O. BOX 5924

OAK RIDGE, TENNESSEE 37831

(865-457-4027)

1                   MR. LAWSON: GOOD EVENING, LADIES AND  
2                   GENTLEMEN. WELCOME TO THIS MEETING ON THE  
3                   FEDERAL NUCLEAR WORKER COMPENSATION PROGRAM.  
4                   TONIGHT'S MEETING IS BEING HELD TO PROVIDE YOU  
5                   WITH INFORMATION ON THAT PROGRAM AND TO SEEK  
6                   COMMENTS ON HOW TO IMPROVE THE IMPLEMENTATION  
7                   OF THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS  
8                   COMPENSATION PROGRAM ACT. AS YOU PROBABLY  
9                   KNOW, THAT ACT PROVIDES UP TO A HUNDRED AND  
10                  FIFTY THOUSAND DOLLARS TO WORKERS MADE ILL AS A  
11                  RESULT OF THEIR WORK AT FACILITIES IN THE  
12                  DEPARTMENT OF ENERGY NUCLEAR WEAPONS COMPLEX.  
13                  MY NAME IS BARRY LAWSON AND I'LL BE MODERATING  
14                  THIS MEETING TONIGHT. I'M NOT AN EMPLOYEE OF  
15                  NOR AN ADVOCATE FOR THE DEPARTMENT OF ENERGY OR  
16                  THE DEPARTMENT OF LABOR. AS NEUTRAL AND  
17                  INDEPENDENT MODERATOR, I HAVE BEEN ASKED TO RUN  
18                  THIS MEETING IN A FAIR, EFFICIENT AND IMPARTIAL  
19                  MANNER. I RECOGNIZE THAT DESPITE THE FACT THAT  
20                  SEVERAL MILLION DOLLARS HAVE BEEN AWARDED TO  
21                  OAK RIDGE WORKERS UNDER THIS ACT, THERE ARE  
22                  MANY OF YOU WHO HAVEN'T YET RECEIVED, PERHAPS  
23                  EVEN APPLIED FOR, FUNDS. THIS MEETING IS NOT  
24                  INTENDED TO ADDRESS THE INDIVIDUAL ISSUES THAT  
25                  EACH OF YOU MAY HAVE, BUT PROVISIONS HAVE BEEN

1           MADE FOR YOU TO SIGN UP THIS EVENING FOR A  
2           PERSONAL INTERVIEW ON YOUR PARTICULAR CASE AT  
3           THE LOCAL OFFICE.  CERTAINLY, IF YOU HAVE  
4           THOUGHTS ON HOW THE SYSTEM CAN BE IMPROVED, WE  
5           WILL HAVE TIME TO HEAR THEM.  THE SCHEDULE  
6           TONIGHT; AFTER MY BRIEF COMMENTS, MIKE HOLLAND,  
7           WHO IS THE ACTING OAK RIDGE OFFICE AREA  
8           MANAGER, WILL WELCOME YOU AND SAY A FEW WORDS  
9           ABOUT THIS PROGRAM AND MEETING.  THEN I'LL ASK  
10          THE PANEL MEMBERS FOR THEIR COMMENTS.  EACH HAS  
11          AN AREA OF RESPONSIBILITY RELEVANT TO THESE  
12          PROGRAMS AND YOU WILL HAVE THEM SPEAK TO YOU  
13          BRIEFLY ABOUT THEIR RESPONSIBILITIES IN THEIR  
14          PROGRAMS.  I'LL INTRODUCE THEM FIRST NOW AND  
15          AGAIN AS THEY SPEAK.  TO MY IMMEDIATE RIGHT IS  
16          PETER TURCIC AND MR. TURCIC IS THE DIRECTOR OF  
17          THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS  
18          COMPENSATION PROGRAM OFFICE OF THE UNITED  
19          STATES DEPARTMENT OF LABOR.  IN THE MIDDLE IS  
20          BEVERLY COOK, WHO IS THE ASSISTANT SECRETARY  
21          FOR ENVIRONMENTAL SAFETY AND HEALTH WITH THE  
22          UNITED STATES DEPARTMENT OF ENERGY.  AND TO HER  
23          RIGHT IS DAVE SUNDIN, WHO IS THE DEPUTY  
24          DIRECTOR OF COMPENSATION ANALYSIS AND SUPPORT  
25          OF THE NATIONAL INSTITUTE FOR OCCUPATIONAL

1 SAFETY AND HEALTH. I'LL ASK THEM TO STAY  
2 WITHIN FIVE OR SIX MINUTES APIECE IN THEIR  
3 PRESENTATION SO WE WILL HAVE AMPLE OPPORTUNITY  
4 FOR YOUR RESPONSE, COMMENTS AND SUGGESTIONS.  
5 WE WILL CONTINUE THIS SO-CALLED FORMAL PART OF  
6 THIS MEETING WITH YOUR COMMENTS UNTIL ABOUT  
7 EIGHT O'CLOCK. BUT ALL THE PANEL MEMBERS HAVE  
8 ASSURED ME THEY WILL REMAIN AS LONG AS  
9 NECESSARY THEREAFTER TO RESPOND TO INDIVIDUAL  
10 QUESTIONS THAT YOU MAY HAVE FOR THEM. RIGHT  
11 NOW LET ME INTRODUCE TO YOU MIKE HOLLAND FOR  
12 BRIEF INTRODUCTORY COMMENTS. MR. HOLLAND.

13 MR. HOLLAND: THANK YOU, BARRY. GOOD  
14 EVENING AND WELCOME TO THIS PUBLIC MEETING ON  
15 BEHALF OF THE OAK RIDGE OPERATIONS OFFICE. I'M  
16 REALLY GLAD TO SEE SUCH A LARGE TURNOUT TONIGHT  
17 AND I HOPE THIS IS A VERY PRODUCTIVE MEETING  
18 FOR YOU. WE HAVE A VERY DISTINGUISHED PANEL  
19 HERE WITH US TONIGHT. I THANK THEM FOR COMING  
20 TO SPEND THE TIME WITH US IN OUR COMMUNITY TO  
21 TAKE YOUR INPUT TONIGHT. AND I ALSO WANT TO  
22 THANK YOU, THE FORMER WORKERS, CURRENT WORKERS  
23 AND FAMILIES HERE IN THE OAK RIDGE AREA. THIS  
24 REALLY IS ABOUT YOU, ABOUT FAMILY, ABOUT  
25 FRIENDS AND ABOUT WORKERS, CO-WORKERS, AND IT

1           IS IMPORTANT THAT WE GET INPUT FROM YOU TONIGHT  
2           ON HOW WE CAN MAKE OUR COMPENSATION PROGRAM  
3           HERE AT OAK RIDGE A BETTER ONE. I DO ALSO WANT  
4           TO THANK THE MANY PEOPLE WHO WORK IN THE  
5           VARIOUS OFFICES AROUND THE OAK RIDGE AREA, THE  
6           Y-12 AREA OFFICE, THE OAK RIDGE OPERATIONS  
7           OFFICE, OUR CONTRACTORS AND THE RESOURCE  
8           CENTER. THOSE PEOPLE WHO WORK WITHIN THIS  
9           PROGRAM. I ALSO WANT TO POINT OUT TO YOU THAT  
10          YOUR CONGRESSIONAL DELEGATION IS VERY WELL  
11          REPRESENTED HERE THIS EVENING. FOR CONGRESSMAN  
12          ZACH WAMP'S OFFICE; HELEN HARDIN, CHIEF OF  
13          STAFF. AND REGINA BROOM, STAFF ASSISTANT, ARE  
14          HERE. REPRESENTING CONGRESSMAN JIM DUNCAN IS  
15          DEAN RICE, SENIOR LEGISLATIVE ASSISTANT.  
16          REPRESENTING CONGRESSMAN VAN HILLEARY IS PAUL  
17          CHAPMAN, THE DISTRICT DIRECTOR. REPRESENTING  
18          CONGRESSMAN BOB CLEMENT IS CAROLINE NEILSON.  
19          AND REPRESENTING SENATOR THOMPSON IS CINDY  
20          LEMONS. I ALSO WANT TO, I'M SORRY, I APOLOGIZE  
21          IF I HAVE MISSED SOMEONE BECAUSE I THINK  
22          PERHAPS I HAVE. I ALSO WANTED TO EXTEND A  
23          THANK YOU TO CONGRESSMAN WAMP'S STAFF IN  
24          PARTICULAR FOR THE ENCOURAGEMENT THAT THEY HAVE  
25          GIVEN US TO WORK THIS PROGRAM AGGRESSIVELY OVER

1 THE LAST FEW WEEKS. AGAIN I REALLY DO HOPE  
2 THAT THIS IS A PRODUCTIVE MEETING FOR YOU AND  
3 FOR US AS WELL AND I LOOK FORWARD TO HEARING  
4 YOUR INPUT THIS EVENING. THANK YOU.

5 MR. LAWSON: THANK YOU, MR. HOLLAND.  
6 LET ME REINTRODUCE THE THREE PANEL MEMBERS, ONE  
7 AT A TIME, AS THEY SPEAK. I WOULD ASK YOU TO  
8 PLEASE HOLD ANY COMMENTS OR QUESTIONS YOU HAVE  
9 UNTIL THEY HAVE FINISHED AND THEN WE WILL HAVE  
10 AN OPPORTUNITY FOR YOU TO GO TO ONE OF THE TWO  
11 MICROPHONES THAT ARE THERE AND I'LL TAKE AS  
12 MANY COMMENTS AS POSSIBLE. DON'T LINE UP QUITE  
13 YET BECAUSE WE HAVE SOME PRESENTATIONS TO MAKE  
14 FIRST. SO THAT YOU CAN BE PREPARED AND BECAUSE  
15 OF THE LARGE NUMBER OF PEOPLE HERE, I'LL ASK  
16 YOU TO MAKE YOUR COMMENTS OR QUESTIONS AS  
17 CONCISE AND BRIEF AS POSSIBLE. AND SIMILARLY  
18 WOULD ASK THE PANEL MEMBERS TO DO THE SAME. IT  
19 IS IMPORTANT THAT EVERYONE HAS AN OPPORTUNITY  
20 TO ASK A QUESTION. AND FOR THAT PURPOSE, I  
21 WOULD ASK YOU TO ASK ONE QUESTION AND, IF  
22 NECESSARY, A FOLLOW-UP TO THAT SPECIFIC  
23 QUESTION, IF IT IS APPROPRIATE, BUT PLEASE NO  
24 SECOND QUESTIONS UNTIL EACH PERSON HAS AN  
25 OPPORTUNITY TO ASK HIS OR HER INITIAL QUESTION.

1           YOUR COOPERATION FOLLOWING THESE, HOPEFULLY,  
2           PRACTICAL GUIDELINES IS MOST APPRECIATED. I  
3           WOULD LIKE NOW TO REINTRODUCE TO YOU PETER  
4           TURCIC, WHO IS THE DIRECTOR OF THAT LONG OFFICE  
5           NAME, THE U.S. DEPARTMENT OF LABOR. MR.  
6           TURCIC.

7                       MR. TURCIC: THANK YOU VERY MUCH. IT IS  
8           A PLEASURE TO BE HERE. WHAT I WOULD LIKE TO DO  
9           IS WE ARE REALLY INTERESTED IF HEARING YOUR  
10          INPUT, SO I'M JUST GOING TO BRIEFLY TALK ABOUT  
11          THE DEPARTMENT OF LABOR'S PORTION OF THE ENERGY  
12          EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION  
13          ACT. AS YOU PROBABLY KNOW, THE THREE AGENCIES  
14          WORK VERY CLOSELY TOGETHER IN ALL ASPECTS OF  
15          THIS PROGRAM. AND THERE HAS BEEN VERY GOOD  
16          COOPERATION WITH DEPARTMENT OF ENERGY AND WITH  
17          NIOSH. JUST BRIEFLY, THE DEPARTMENT OF LABOR'S  
18          PORTION COVERS FOUR DISEASES. RADIATION  
19          CANCERS, CHRONIC BERYLLIUM DISEASE, BERYLLIUM  
20          SENSITIVITY, CHRONIC SILICOSIS AND IT ALSO  
21          GIVES SUPPLEMENTAL BENEFITS FOR URANIUM  
22          WORKERS. THOSE WOULD BE MINERS, MILLERS, WAR  
23          TRANSPORTERS WHO RECEIVE BENEFITS UNDER THE  
24          RADIATION EXPOSURE COMPENSATION ACT  
25          ADMINISTERED BY THE DEPARTMENT OF JUSTICE.

1 JUST SOME PROGRAM HIGHLIGHTS. THE PROGRAM WAS  
2 ENACTED ON OCTOBER 30, 2000 AND BECAME  
3 EFFECTIVE JULY 31, 2001, AT WHICH TIME  
4 SECRETARY ELAINE CHAO PRESENTED THE FIRST CHECK  
5 ON AUGUST 9, 2001. AND AS YOU KNOW, ONE OF THE  
6 BIGGEST ISSUES THAT WE FACED IN IMPLEMENTING  
7 THE LAW WAS THE ORIGINAL DEFINITION OF  
8 SURVIVORS AND THAT WAS CHANGED, ALONG WITH SOME  
9 OTHER MINOR CHANGES, IN AMENDMENTS THAT WERE  
10 ENACTED ON DECEMBER 28, 2001. JUST BRIEFLY,  
11 WHAT WE DID IN IMPLEMENTING THE PROGRAM, WE  
12 DIVIDED THE COUNTRY UP INTO FOUR AREAS, WE HAVE  
13 FOUR DISTRICT OFFICES. AND FOR OAK RIDGE THE  
14 DISTRICT OFFICE IS IN JACKSONVILLE, FLORIDA AND  
15 THE REGIONAL DIRECTOR OF THE OFFICE OF WORKERS  
16 COMPENSATION, NANCY RICKER, IS HERE WITH ME  
17 TONIGHT. IF YOU HAVE ANY QUESTIONS, YOU CAN  
18 COME UP LATER AND WE CAN TRY TO ANSWER THEM FOR  
19 YOU. FROM A NATIONAL BASIS, TO DATE, THIS IS  
20 AS OF MAY 30TH, WE HAVE RECEIVED TWENTY-EIGHT  
21 THOUSAND SEVEN HUNDRED AND NINETY-FIVE CLAIMS.  
22 AND OF THOSE, EIGHTEEN THOUSAND ARE CLAIMING  
23 CANCER. NINE HUNDRED AND EIGHTY-SIX BERYLLIUM  
24 SENSITIVITY. NINE HUNDRED AND EIGHTY-ONE  
25 CHRONIC BERYLLIUM DISEASE. FIVE HUNDRED AND



1 THIRTY-THREE FOR CHRONIC SILICOSIS. AND  
2 THIRTY-THREE HUNDRED AND NINETY-SEVEN RECA  
3 CLAIMS AND IN OTHERS ACCOUNT FOR FORTY-FOUR  
4 HUNDRED AND SIXTY-FIVE. JUST SOME STATISTICS  
5 RELATIVE TO THAT; THE CLAIMS THAT HAVE BEEN  
6 PROCESSED TO A FINAL DECISION. SO FAR THERE IS  
7 THIRTY-TWO HUNDRED AND EIGHTY-TWO CLAIMS THAT  
8 HAVE BEEN APPROVED FOR BENEFITS AND NINE  
9 HUNDRED AND FORTY-FIVE, AND THESE ARE FINAL  
10 DECISIONS, FOR DENIAL OF BENEFITS. CLAIMS  
11 PROCESSED WITH THE RECOMMENDED DECISION; AS YOU  
12 PROBABLY KNOW, OUR PROCESS IS A RECOMMENDED  
13 DECISION. THEN IF YOU DISAGREE WITH THAT, YOU  
14 CAN EITHER WAIVE YOUR APPEAL OR YOU CAN ASK FOR  
15 A HEARING AT THAT POINT IN TIME OR REVIEW OF  
16 THE WRITTEN RECORD. AND THEN THE FINAL  
17 ADJUDICATION BRANCH WILL GO AND MAKE A FINAL  
18 DECISION, AT WHICH TIME IF YOU DISAGREE WITH  
19 THAT FINAL DECISION, YOU CAN APPEAL THAT TO  
20 FEDERAL DISTRICT COURT. AT THE RECOMMENDED  
21 DECISION LEVEL WE HAVE HAD THIRTY-SEVEN HUNDRED  
22 AND EIGHTY-EIGHT CLAIMS HAVE BEEN RECOMMENDED  
23 DECISION TO APPROVE BENEFITS. AND TWENTY-EIGHT  
24 HUNDRED AND EIGHT RECOMMENDED TO DENY. ONE  
25 THING I WANT TO POINT OUT IS THAT THESE ARE

1 CLAIMS. FOR EXAMPLE, IF THERE ARE FOUR  
2 SURVIVORS INVOLVED IN A CLAIM, SUCH AS A SPOUSE  
3 AND THREE CHILDREN, WELL, UNDER THE AMENDMENTS,  
4 IF THERE IS A SPOUSE, THE SPOUSE WOULD BE  
5 ENTITLED TO THE BENEFITS, THE CHILDREN WOULD  
6 NOT. IN THAT CASE THAT WOULD BE A RECOMMENDED  
7 APPROVAL AND THREE RECOMMENDED DENIALS IN THAT  
8 EXAMPLE. SO THE RECOMMENDED, AGAIN THE  
9 DENIALS, THAT IS RELATIVE TO CLAIMS. THEN WE  
10 HAVE CASES SENT TO NIOSH; FIVE THOUSAND FOUR  
11 HUNDRED AND FORTY-ONE TO DATE. AND PAYMENTS  
12 ISSUED; WE HAVE ISSUED TWENTY-NINE HUNDRED AND  
13 SEVENTY-THREE PAYMENTS AND THAT IS ON  
14 TWENTY-FIVE HUNDRED AND SIXTY-THREE INDIVIDUAL  
15 WORKERS. AND THAT COMPENSATION PAID OUT TO  
16 DATE HAS BEEN NEARLY TWO HUNDRED AND  
17 TWENTY-FIVE MILLION DOLLARS. AT OAK RIDGE AT  
18 THE FACILITIES AT OAK RIDGE, WE HAVE RECEIVED  
19 FORTY-NINE HUNDRED AND TWO CLAIMS. THERE IS  
20 NINE HUNDRED AND SIX REFERRALS TO NIOSH. OF  
21 THOSE NINE HUNDRED AND SIX, THE BREAK DOWN IS  
22 THAT FOUR HUNDRED AND EIGHTY-FIVE OF THEM ARE  
23 FROM Y-12, TWO HUNDRED AND FORTY-TWO ARE FROM  
24 K-25. SO K-25, IF AN INDIVIDUAL HAS A CANCER  
25 THAT IS NOT ONE OF THE SPECIFIED CANCERS, THAT

1 DOES NOT MEAN THEY ARE NOT ELIGIBLE. WE DO A  
2 DOSE RECONSTRUCTION AND PROCESS THE CLAIM JUST  
3 AS WE WOULD PROCESS ANY OTHER RADIATION CANCER  
4 CLAIM. AND A HUNDRED AND FIFTY-FIVE FROM X-10.  
5 HERE WE HAD TWELVE HUNDRED AND EIGHTY-NINE  
6 RECOMMENDED DECISIONS AND OF THAT SEVEN HUNDRED  
7 AND THIRTEEN WERE RECOMMENDED DECISIONS TO  
8 APPROVE BENEFITS. FIVE HUNDRED AND SEVENTY-SIX  
9 TO DENY. OF THE RECOMMENDED DECISIONS TO  
10 APPROVE BENEFITS, FOUR HUNDRED AND SEVENTY-FOUR  
11 ARE FROM K-25, A HUNDRED AND EIGHTY-SIX FROM  
12 Y-12 AND FIFTY-THREE FROM X-10. TO DENY; TWO  
13 HUNDRED AND SIXTY-THREE FROM K-25, TWO HUNDRED  
14 AND FORTY-EIGHT FROM Y-12 AND SIXTY-THREE FROM  
15 X-10. FINAL DECISIONS; WE HAVE SEVEN HUNDRED  
16 AND SIXTY-SIX FINAL DECISIONS FROM THE OAK  
17 RIDGE FACILITIES. SIX HUNDRED AND ONE TO  
18 ACCEPT, TO APPROVE BENEFITS, AND A HUNDRED AND  
19 SIXTY-FIVE TO DENY. AND THAT BREAK DOWN IS  
20 THREE HUNDRED AND NINETY-EIGHT ACCEPTANCES AT  
21 K-25. A HUNDRED AND FIFTY-SIX AT Y-12,  
22 FORTY-SEVEN AT X-10. AND ON THE DENYING,  
23 SEVENTY-ONE AT K-25, SEVENTY-SEVEN AT Y-12,  
24 SIXTEEN AT X-10. AND WE HAVE MADE FIVE HUNDRED  
25 AND THIRTY-FOUR PAYMENTS, WHICH COVER THREE

1 HUNDRED AND SEVENTY-FOUR INDIVIDUAL WORKERS AT  
2 THE OAK RIDGE FACILITIES. THE BREAK DOWN OF  
3 THE MEDICAL CONDITIONS THAT HAVE BEEN CLAIMED  
4 FROM THE OAK RIDGE FACILITIES; THIRTY-SIX  
5 HUNDRED SEVENTY-EIGHT ARE CANCERS. TWO HUNDRED  
6 AND TWENTY-ONE BERYLLIUM SENSITIVITY, A HUNDRED  
7 AND TWENTY-THREE CHRONIC BERYLLIUM DISEASE.  
8 TWENTY-THREE CHRONIC SILICOSIS AND SEVEN  
9 HUNDRED AND SEVEN OTHER LUNG CONDITIONS. AND A  
10 HUNDRED AND TWENTY-EIGHT RENAL DISORDERS, BUT  
11 THAT IS ONLY COVERED UNDER THE RECA PROGRAM FOR  
12 WAR TRANSPORTERS AND HAULERS. THANK YOU.

13 MR. LAWSON: THANK YOU, MR. TURCIC. I  
14 WOULD NOW LIKE TO CALL ON BEVERLY COOK, WHO IS  
15 THE ASSISTANT SECRETARY FOR THE ENVIRONMENTAL  
16 HEALTH AND SAFETY AT DOE IN WASHINGTON.

17 MS. COOK: THANK YOU. I WOULD FIRST  
18 LIKE TO SPEND A COUPLE OF MINUTES AND EXPLAIN  
19 TO YOU WHO I AM. IT HAS BEEN A WHILE SINCE I  
20 HAVE BEEN TO OAK RIDGE BUT I HAVE BEEN HERE  
21 BEFORE. I HAVE BEEN HERE BECAUSE I ALSO, LIKE  
22 YOU, ONE OF THE WORKERS IN THE DOE COMPLEX. I  
23 STARTED WORK AT THE DEPARTMENT OF ENERGY AS A  
24 CONTRACTOR IN 1975 AT THE IDAHO NATIONAL  
25 ENGINEERING AND ENVIRONMENTAL LAB. I AM AN

1       ENGINEER. I WORKED IN REACTORS, I WORKED IN  
2       PROCESSING FACILITIES, I'VE WORKED IN STORAGE  
3       FACILITIES HERE AT OAK RIDGE. I WAS ACTUALLY  
4       HERE WHEN WE WERE WORKING ON SPACE NUCLEAR  
5       POWER SYSTEMS AND YOU BUILT SOME OF THE  
6       COMPONENT PARTS FOR THAT HERE. I'VE WORKED IN  
7       A LOT OF PLACES AROUND THE COMPLEX. WHEN WE  
8       GET TO TALKING ABOUT RECORDS, I'M ONE OF THOSE  
9       PEOPLE THEY ARE LOOKING FOR RECORDS FOR. I  
10      HAVE MY RADIATION RECORDS, BUT IT IS HARD TO  
11      TELL YOU WHERE I WAS AND WHEN I WAS PRETTY MUCH  
12      ANYPLACE ELSE. I WORKED AS A CONTRACTOR FOR  
13      FIFTEEN YEARS. I WENT THEN TO WASHINGTON, DC  
14      AND WENT TO WORK FOR THE DEFENSE NUCLEAR  
15      FACILITY SAFETY BOARD. I ALSO ENDED UP IN A  
16      LOT OF FACILITIES BECAUSE OF THAT. AND THEN  
17      WENT TO WORK FOR DEPARTMENT OF ENERGY AND HAVE  
18      BEEN WITH THEM SINCE. WORKED IN THE OFFICE OF  
19      NUCLEAR ENERGY ALL THE WAY UP THROUGH THE  
20      PRINCIPAL DEPUTY THERE AND THEN JUST FINISHED  
21      SPENDING A COUPLE OF YEARS DOING WHAT MIKE DOES  
22      HERE, WHICH IS FIELD MANAGER OF THE IDAHO SITE.  
23      I TAKE THAT JOB VERY SERIOUSLY, I TAKE THE  
24      CURRENT JOB I HAVE VERY SERIOUSLY. AND THAT IS  
25      LOOKING OUT FOR THE ENVIRONMENT SAFETY AND

1 HEALTH ISSUES ASSOCIATED WITH THIS COMPLEX. I  
2 WANT TO ASSURE YOU ALL RIGHT NOW THAT THIS IS  
3 PERSONAL FOR ME. I WAS IN IDAHO ABOUT SIX  
4 WEEKS AGO AND SAID GOODBYE TO ONE OF MY FRIENDS  
5 AND THAT'S VERY HARD TO DO AND I KNOW IT'S HARD  
6 FOR ALL OF YOU TOO. A FRIEND WHO HAS CANCER  
7 AND HAS QUIT TAKING HIS MEDICATION BECAUSE HE  
8 HAS GOT A COUPLE OF WEEKS LEFT. IT IS ALWAYS  
9 HARD FOR ME TO GET PAST THAT PART BECAUSE IT IS  
10 REAL FOR ME. MY JOB RIGHT NOW IS TO MAKE SURE  
11 PERSONALLY FOR ME TO MAKE SURE THAT THIS  
12 COMPENSATION ACT WORKS AS BEST AS POSSIBLE. IT  
13 IS GOOD FOR A START. IS IT PERFECT FOR  
14 EVERYTHING? NO. BUT IT'S GOOD FOR A START AND  
15 I'M REALLY PLEASED TO SEE IT IN PLACE. AS YOU  
16 KNOW, THERE ARE SEVERAL PARTS TO THIS. THE  
17 SUBPARTS A, B AND C HAVE TO DO WITH THE PROGRAM  
18 THAT PETE JUST TALKED ABOUT. THERE IS SUBPART  
19 D THAT IS STRICTLY DOE'S PART AND THAT IS THE  
20 PART THAT DEALS WITH US ASSISTING WORKERS  
21 WITHIN THE COMPLEX TO APPLY FOR A STATE WORKERS  
22 COMP PROGRAM. JOSH, COULD YOU PUT THE NEXT  
23 CHART UP? THIS IS GOING TO BE HARD FOR YOU TO  
24 SEE. MAYBE WE CAN GET SOME COPIES AND PUT IN  
25 YOUR RESOURCE CENTER HERE. THIS IS A FLOW

1 CHART THAT SHOWS, IT'S NOT GOING TO SHOW VERY  
2 WELL HERE, THAT SHOWS HOW THIS WORKS AND WHEN  
3 YOU COME IN WITH A CLAIM WHERE DOES IT GO AND  
4 HOW DOES IT GO. PETE TALKED ABOUT THE THINGS  
5 THAT GO INTO THE PART OF THE ACT THAT DEALS  
6 WITH VERY SPECIFIC CASES OF THE CANCERS, THE  
7 CHRONIC BERYLLIUM DISEASE AND SILICOSIS AND HOW  
8 THAT GOES THROUGH. AND AS YOU ALL KNOW, HERE  
9 THERE ARE SOME PEOPLE WHO ARE IN A SPECIAL  
10 COHORT GROUP, THE GASEOUS DIFFUSION PLANT  
11 SPECIFICALLY, WHERE DOSE RECONSTRUCTIONS ARE  
12 NOT NECESSARY. IF YOU WORKED THERE FOR A  
13 CERTAIN NUMBER OF DAYS, YOU HAVE THOSE KINDS OF  
14 CANCERS, THEN YOU AUTOMATICALLY GO INTO THAT  
15 PROGRAM. BUT ALL THE OTHER RADIATION-INDUCED  
16 CANCERS ACROSS THE COMPLEX, WE HAVE TO DO DOSE  
17 RECONSTRUCTIONS AND ALL OF THE THINGS THAT ARE  
18 IN THE SUBTITLE D THAT DEPARTMENT OF ENERGY  
19 DEALS WITH, WE MOVE THINGS INTO A PHYSICIANS'  
20 PANEL WHERE WE HAVE DETERMINATIONS MADE OF  
21 WHETHER THAT ILLNESS WAS CAUSED BY YOUR WORK  
22 AND THEN WE HELP MOVE THAT INTO YOUR STATE  
23 WORKERS COMP PROGRAM, WHICH VARY FROM STATE TO  
24 STATE. WHEREAS, THE DEPARTMENT OF LABOR PART  
25 OF THE PROGRAM HAD SPECIFIC DATES ASSOCIATED

1 WITH IT THAT IT HAD TO GET UP AND RUNNING, THE  
2 PART THAT DEPARTMENT OF ENERGY IS RESPONSIBLE  
3 FOR HAD TO GO THROUGH RULE-MAKING. RULE-MAKING  
4 IS A VERY PUBLIC PROCESS IN THIS COUNTRY AND IT  
5 REQUIRES PUBLIC MEETINGS, IT REQUIRES INPUT.  
6 WE HAD REQUESTS FOR EXTENSIONS TO EXTEND THE  
7 PUBLIC COMMENT PERIOD, THAT TOOK TIME ALSO. WE  
8 HAD TO ANSWER ALL THE PUBLIC COMMENTS. WHERE  
9 WE ARE NOW FINALLY IS THAT WE HAVE DRAFTED UP  
10 OUR FINAL VERSION OF THE RULE WHICH  
11 INCORPORATED AND ADDRESSED EVERYBODY'S COMMENTS  
12 THAT CAME IN. WE HAVE SENT IT TO THE OFFICE OF  
13 MANAGEMENT AND BUDGET AND THEIR RESPONSIBILITY  
14 IS TO GET IT BACK OUT TO THE OTHER AGENCIES FOR  
15 THEM TO LOOK AT. IT'S COME BACK AND WE ARE IN  
16 THE FINAL STAGES OF WORKING ON THE WORDS THAT  
17 ARE IN THAT. I'M VERY HOPEFUL THAT THAT RULE  
18 GETS OUT AND ON THE STREET RIGHT AWAY BECAUSE,  
19 IN FACT, WE HAVE OVER ELEVEN THOUSAND CLAIMS  
20 FROM FOLKS THAT WE HAVE SITTING THERE WAITING  
21 TO GO AS SOON AS THAT PHYSICIAN PANEL RULE  
22 COMES OUT. IT IS AS FRUSTRATING TO ME AS IT IS  
23 TO THE REST OF YOU THAT THIS RULE-MAKING  
24 PROCESS IS LENGTHY, BUT IT IS. IT IS NOT  
25 BECAUSE WE HAVE NO INTEREST IN MOVING FORWARD



1           ON THESE. I WANT THIS TO HAPPEN NOW, I WANT TO  
2           GET IT DONE QUICK AND I WANT TO MOVE FORWARD  
3           WITH THESE CLAIMS. TWO PARTS; LET ME JUST SAY  
4           RIGHT NOW, ONE IS WE NEED TO MOVE FORWARD ON  
5           THE CLAIMS RIGHT NOW. WE NEED TO MOVE FORWARD  
6           WITH THIS ACT AND HOW THIS IS WORKING FOR THOSE  
7           OF YOU WHO ARE IN THIS ROOM HERE WHO ARE  
8           CURRENT WORKERS, WHAT I WANT TO MAKE SURE  
9           HAPPENS, AND I WANT TO HAVE A PART OF, IS TO  
10          MAKE SURE IN THE FUTURE WE DEAL WITH THIS IN A  
11          MORE RIGOROUS WAY. FOR INSTANCE, I HAVE BEEN  
12          SUGGESTING THAT WE PUT INTO OUR CONTRACTS WITH  
13          THE CONTRACTORS TO DO RECORD-KEEPING  
14          REQUIREMENTS THAT IS PART OF THEIR CONTRACT, SO  
15          THAT WE DON'T HAVE TO GO THROUGH WHAT WE ARE  
16          GOING THROUGH RIGHT NOW IN FINDING PEOPLE'S  
17          RECORDS. THE DEPARTMENT OF ENERGY DOES NOT OWN  
18          THOSE RECORDS. YOUR CONTRACTORS THAT YOU WORK  
19          FOR OWN THOSE RECORDS. AND WE ARE TRYING TO  
20          FIND ALL THOSE CONTRACTORS, WE'RE TRYING TO  
21          FIND ALL THOSE RECORDS. I KNOW THAT SOME OF MY  
22          RECORDS ARE IN A BOX IN SEATTLE SOMEPLACE.  
23          THERE ARE A LOT OF RECORDS OUT THERE. HAVING  
24          SAID THAT, I WILL TELL YOU THAT WE ARE GETTING  
25          BETTER AT IT AND WE'RE FINDING A GREAT WEALTH

1           OF RECORDS, BOTH MEDICAL RECORDS, EMPLOYMENT  
2           RECORDS, ALL KINDS OF THINGS AND WE'RE TRYING  
3           TO PULL THAT TOGETHER TO BE ABLE TO DO THAT IN  
4           A MORE EXPEDITED WAY AND TO GET A DATA BASE IN  
5           PLACE SO THAT WE KNOW EVERYBODY THAT WORKED FOR  
6           DEPARTMENT OF ENERGY AND ITS PREDECESSORS. AND  
7           MORE IMPORTANTLY, HAVE THOSE RECORDS FOR THE  
8           FUTURE. LET ME JUST PUT UP THE LAST CHART THAT  
9           I'M GOING TO TALK TO. THAT IS EMPLOYMENT  
10          VERIFICATION. THAT'S THE FIRST THING  
11          DEPARTMENT OF ENERGY HAS TO DO, EMPLOYMENT  
12          VERIFICATION. FOR DOL TO DO THEIR PART, DOE  
13          HAD TO DO THEIR PART AND WE HAVE BEEN WORKING  
14          VERY HARD TO ASSIST DOL IN GETTING THOSE  
15          EMPLOYMENT VERIFICATIONS. BUT AS I SAID, THAT  
16          IS DIFFICULT. SOME OF YOU ARE JUST LIKE A LOT  
17          OF MY FRIENDS. THEY WORKED AT THE SAME JOB FOR  
18          FORTY YEARS AND NEVER LEFT THE PLACE THEY  
19          WORKED AND THEY HAVE HAD PROBABLY SIX DIFFERENT  
20          COMPANIES THEY WORKED FOR AS COMPANIES CAME AND  
21          WENT AT THE DOE SITE. FINDING THOSE RECORDS IS  
22          DIFFICULT. ESPECIALLY IF YOU ARE A  
23          SUBCONTRACTOR. IF YOU ARE UNION FOLKS AT THE  
24          SITES, IF YOU'RE CONSTRUCTION WORKERS TRYING TO  
25          FIND THE EMPLOYMENT RECORDS, THEY ARE ALSO

1           DIFFICULT.  BUT I'LL ASSURE YOU, THAT IS NOT  
2           THE LAST STOP.  DOL HAS SAID THEY WILL ACTUALLY  
3           TAKE WRITTEN AFFIDAVITS FROM FOLKS, IF ALL ELSE  
4           FAILS AND WE CAN'T FIND IT THROUGH SOCIAL  
5           SECURITY, CAN'T FIND IT THROUGH PRIOR  
6           EMPLOYMENT, WE CAN GO TO WRITTEN AFFIDAVITS  
7           FROM COWORKERS FOR YOU THAT SAY YOU WORKED  
8           THERE AND WHEN YOU WORKED THERE AND THEY ARE  
9           GOING WITH THAT TOO, SO WE'RE TRYING TO OPEN UP  
10          AS MANY WAYS AS POSSIBLE.  COMMUNITY OUTREACH  
11          IS ONE OF THE THINGS THAT I DO AND I JUST GOT  
12          OFF THE PLANE HERE SO I HAVEN'T HAD AN  
13          OPPORTUNITY TO DO IT HERE YET, IS TO LOOK TO  
14          SEE WHAT OUR COMMUNITY OUTREACH OFFICES ARE  
15          DOING.  AND WHAT THEY TOLD ME ABOUT YOUR OFFICE  
16          HERE AND THIS IS A JOINT OUTREACH OFFICE THAT  
17          IS FUNDED BY DEPARTMENT OF LABOR AND DOE.  THEY  
18          SAY THEY HAVE MAILED OVER ELEVEN HUNDRED  
19          INFORMATIONAL FLIERS TO CURRENT AND FORMER  
20          WORKERS AT THE GASEOUS DIFFUSION PLANTS IN THE  
21          AREA OF PROFESSIONAL LABOR ORGANIZATIONS.  
22          SUBMITTED PRESS RELEASES TO EIGHT TENNESSEE  
23          TELEVISION STATIONS AND THREE ALABAMA  
24          TELEVISION STATIONS.  DISTRIBUTED A THOUSAND  
25          FLIERS TO AREA PHARMACIES, CANCER SURVIVAL

1           CENTERS, PHYSICIANS' OFFICES, RETIREMENT  
2           CENTERS, HOSPITALS AND THE LIKE. I THOUGHT  
3           THIS WAS KIND OF UNIQUE. ATTENDED ALL THE  
4           RETIREMENT CHRISTMAS PARTIES TO PASS OUT  
5           INFORMATION AND FLIERS WERE PASSED OUT. THEY  
6           ARE GETTING VERY CREATIVE, I'LL JUST TELL YOU  
7           THAT. MET WITH UNION OFFICIALS AND DEVELOPED A  
8           PARTNERSHIP IN SUPPORT OF ASSISTING WORKERS  
9           WITH CLAIMS. BY THE WAY, I MEET WITH A LOT OF  
10          UNION OFFICIALS. I'M VERY CLOSE WITH THE PACE  
11          UNION IN IDAHO BECAUSE I WAS ONE OF THOSE  
12          WORKERS, I SPENT A LOT OF TIME WITH THOSE  
13          FOLKS. AND I FEEL STRONGLY ABOUT USING THE  
14          UNION ORGANIZATION TO TAP INTO THE WORK FORCE  
15          TO MAKE SURE PEOPLE UNDERSTAND ABOUT THE  
16          PROGRAM AND HOW TO GET INVOLVED. MONTHLY  
17          MEETINGS WITH THE Y-12 BERYLLIUM SUPPORT GROUP.  
18          ATTENDED THE OAK RIDGE CHAPTER OF NAACP TO  
19          ASSIST FORMER AND CURRENT WORKERS AND  
20          SURVIVORS. AND ALSO SUBMITTED A LOT OF PRESS  
21          RELEASES TO AREA RETIREMENT AND CREDIT UNION  
22          NEWS LETTERS. THEY ARE TRYING TO FIND AS MANY  
23          WAYS AS POSSIBLE TO GET INFORMATION OUT.  
24          NUMBER ONE THING I'M GOING TO ASK OF ALL OF  
25          YOU; IF YOU CAN THINK OF SOMETHING THAT IS NOT

1 COVERED HERE, PLEASE LET THE RESOURCE CENTER  
2 KNOW SO WE CAN LOOK AT OTHER AREAS TO DO THAT  
3 KIND OF CONTACT. IT'S HARD TO REACH PEOPLE,  
4 ALTHOUGH I KNOW IN PLACES LIKE OAK RIDGE AND  
5 IDAHO AT HANFORD YOU MAY RETIRE, BUT YOU NEVER  
6 MOVE AWAY BECAUSE YOU LOVE IT HERE. SO  
7 HOPEFULLY WE CAN REACH OUT AND TOUCH EVERYBODY  
8 HERE. IT IS NOT LIKE THE FOLKS IN NEW YORK WHO  
9 ALL MOVE TO FLORIDA. YOU ALL STAY. STATUS OF  
10 OUR RULE; I'VE ALREADY TOLD YOU ABOUT THAT.  
11 I'M HOPING THAT WILL COME OUT IN THE NEXT FEW  
12 DAYS SO WE CAN MOVE FORWARD WITH THIS. WE  
13 REALLY NEED TO GET THOSE CLAIMS MOVING AND WE  
14 NEED TO GET THINGS SETTLED, WE NEED TO GIVE YOU  
15 PEOPLE ANSWERS AND WE NEED TO FIGURE OUT WHERE  
16 WE NEED TO MOVE FORWARD. BUT ALSO, MY OTHER  
17 GOAL IS TO MAKE SURE THAT I'M VERY, VERY CLEAR  
18 ON A COUPLE OF THINGS. ONE IS WHICH THINGS WE  
19 CAN DO WITHIN THIS LEGISLATION AND THEN IF THIS  
20 IS NOT WHAT YOU WANT IT TO BE SO YOU KNOW WHAT  
21 TO DO ABOUT IT NEXT. IF IT MEANS MORE  
22 AMENDMENTS, FINE. IF IT MEANS LOOKING AT OTHER  
23 WAYS TO APPROACH THIS. AND MORE IMPORTANTLY,  
24 IF THERE IS WAYS YOU CAN HELP US DO THIS  
25 BETTER, LET ME KNOW. SECONDLY; AN ISSUE I WANT

1           TO MAKE SURE I BRING UP WITH YOU, I'VE BROUGHT  
2           UP AT A LOT OF SITES, AND THAT IS RETALIATION.  
3           I KNOW THAT THERE ARE A LOT OF PEOPLE,  
4           ESPECIALLY IN THE CURRENT WORK FORCE THAT WORRY  
5           ABOUT THAT. I WORRY ABOUT THAT TOO. I HAVE  
6           LOTS OF WAYS TO REACH OUT AND TOUCH OUR  
7           CONTRACTORS AND I WILL ASSURE YOU THAT WE WILL  
8           DO THAT. RETALIATION IS NOT ACCEPTABLE. THIS  
9           IS A PROGRAM THAT IS FOR OUR WORKERS, DOE  
10          WORKERS, AND I BELIEVE THAT THERE ARE WORKERS,  
11          SO I'M VERY SERIOUS ABOUT THAT AND THE  
12          RESPONSIBILITIES FOR THOSE SORTS OF THINGS DO  
13          LIE WITHIN MY OFFICE AT HEADQUARTERS AND I CAN  
14          DO SOMETHING ABOUT IT. THE THIRD THING IS WE  
15          HAVE HAD A LOT OF MEDICAL STUDIES DONE AT A LOT  
16          OF DOE SITES AND WE'RE TRYING TO MAKE SURE THAT  
17          WE INCORPORATE ALL THE INFORMATION THAT HAVE  
18          COME OUT OF THOSE MEDICAL STUDIES SO THAT THAT  
19          INFORMATION ALSO IS AVAILABLE TO FEED INTO THE  
20          PROCESS SO WE HAVE THE KIND OF MEDICAL  
21          BACKGROUND INFORMATION THAT IS USEFUL. AND IT  
22          WILL ALLOW US TO MOVE FORWARD, SO I'M ASKING  
23          FOR YOUR HELP TO HELP STREAMLINE THIS, WE WANT  
24          TO DO THIS AS EFFICIENTLY AS POSSIBLE, BUT IT  
25          IS A LONG, HARD FIGHT AND IT'S COMPLICATED.

1           THANK YOU.

2                   MR. LAWSON: THANK YOU, MS. COOK. OUR  
3           LAST SPEAKER IS DAVE SUNDIN. MR. SUNDIN IS THE  
4           DEPUTY DIRECTOR OF COMPENSATION ANALYSIS AND  
5           SUPPORT OF THE NATIONAL INSTITUTE FOR  
6           OCCUPATIONAL SAFETY AND HEALTH. MR. SUNDIN,  
7           PLEASE.

8                   MR. SUNDIN: THANKS. IT IS GOOD TO BE  
9           HERE. CAN YOU ALL HEAR ME? I'LL BE VERY  
10          BRIEF. I'M INTERESTED IN HEARING YOUR  
11          QUESTIONS AND COMMENTS. I AM FROM THE NATIONAL  
12          INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH,  
13          WHICH IS ONE OF THE CENTERS FOR CENTERS FOR  
14          DISEASE CONTROL AND PREVENTION. NIOSH IS  
15          LOCATED JUST UP THE ROAD HERE IN CINCINNATI.  
16          THE LAW WHICH CREATED THIS PROGRAM ASSIGNED  
17          NIOSH REALLY SEVERAL, VERY SPECIFIC DUTIES,  
18          RESPONSIBILITIES. WE ARE VERY MUCH IN A  
19          SUPPORT ROLE FOR THE DEPARTMENT OF LABOR AND IN  
20          PARTNERSHIP WITH DOE TO MAKE THIS PROGRAM WORK.  
21          THE FIRST THING THAT NIOSH WAS REQUIRED TO DO  
22          WAS DEVELOP SOME REGULATIONS AND THOSE WERE  
23          SPELLED OUT IN THE ACT ITSELF. WE WERE ASKED  
24          TO COME UP WITH REGULATIONS WHICH WOULD GOVERN  
25          HOW EMPLOYEES RADIATION DOSE WOULD BE

1 RECONSTRUCTED OR ESTIMATED, GIVEN ALL THE  
2 DIFFICULTIES THAT SURROUND THAT PROCESS. WE  
3 WERE ALSO ASKED TO COME UP WITH GUIDELINES FOR  
4 CALCULATING THE PROBABILITY THAT AN EMPLOYEE'S  
5 CANCER WAS RELATED TO THE RECONSTRUCTED  
6 RADIATION DOSE. THAT IS A JOB WHICH IS REALLY  
7 DOL'S TO DO, BUT NIOSH WAS ASKED TO DEVELOP THE  
8 GUIDELINES FOR HOW THAT COMPUTATION WOULD BE  
9 DONE. WE WERE ALSO ASKED TO DEVELOP PROCEDURES  
10 FOR EVALUATING AND DETERMINING PETITIONS FROM  
11 EMPLOYEES WHO WISH TO BE ADDED TO THE SPECIAL  
12 EXPOSURE COHORT AND WE'RE QUITE CLOSE TO HAVING  
13 THOSE PROCEDURES AVAILABLE FOR PUBLIC COMMENT.  
14 NIOSH ALSO HAS THE PRIMARY RESPONSIBILITY FOR  
15 ACTUALLY DOING THE DOSE RECONSTRUCTIONS ON EACH  
16 INDIVIDUAL CLAIM THAT COMES TO US FROM  
17 DEPARTMENT OF LABOR. I CAN TALK MORE ABOUT  
18 THAT. I EXPECT THAT THAT IS SOMETHING THAT YOU  
19 HAVE AN INTEREST IN. WE RELY ON DOE'S  
20 ASSISTANCE IN GATHERING THE KIND OF DATA WHICH  
21 UNDERPINS REALLY AND SUPPORTS DOSE  
22 RECONSTRUCTION ACTIVITIES. NIOSH HAS ALSO  
23 ASKED TO APPOINT MEMBERS TO DOE'S PHYSICIAN  
24 PANEL AND ALSO TO PROVIDE SUPPORT TO AN  
25 ADVISORY BOARD, WHICH WAS CREATED IN THE ACT.



1 THE ADVISORY BOARD ON RADIATION AND WORKER  
2 HEALTH. AND THAT BOARD HAS CERTAIN, VERY  
3 SPECIFIC RESPONSIBILITIES; ONE OF WHICH IS TO  
4 DEAL WITH PETITIONS FOR THE SPECIAL EXPOSURE  
5 COHORT AND TO REVIEW WHAT NIOSH IS DOING WITH  
6 THOSE RECONSTRUCTIONS. WE ISSUED THE FIRST  
7 VERSION OF OUR REGULATIONS ON OCTOBER 5, 2001.  
8 I THINK BEV MENTIONED RULE-MAKING IS DONE IN  
9 THE LIGHT OF PUBLIC COMMENT AND WE DID GET  
10 PUBLIC COMMENTS. WE CONSIDERED THEM AND  
11 MODIFIED THE PROPOSED RULES WHERE APPROPRIATE  
12 AND HAVE ISSUED FINAL RULES MAY 2ND, ACTUALLY  
13 FAIRLY RECENTLY, A LITTLE OVER A MONTH AGO. WE  
14 BEGAN RECEIVING CLAIMS FROM DEPARTMENT OF LABOR  
15 ACTUALLY BEFORE THE RULES WERE, BEFORE MAY 2ND,  
16 BECAUSE ONE OF THE RULES WAS AN INTERIM FINAL  
17 RULE, SO WE WERE ABLE TO PROCEED WITH SOME DOSE  
18 RECONSTRUCTIONS. AND AS PETE MENTIONED, WE  
19 HAVE OVER FIVE THOUSAND CLAIMS THAT WE ARE  
20 PROCEEDING WITH DOSE RECONSTRUCTIONS. THEY ARE  
21 ALL IN VARIOUS PHASES AT THIS POINT. WE'VE  
22 BEEN REQUESTING INFORMATION FROM DOE THROUGH  
23 THE APPROPRIATE POINTS OF CONTACT AND WE'VE  
24 GOTTEN RESPONSES ON SOME OF THOSE AND ARE  
25 MOVING FORWARD. NIOSH IS CLEARLY STAFFING,

1           TAKING ON NEW RESPONSIBILITIES THAT ARE  
2           SIGNIFICANTLY DIFFERENT THAN WHAT NIOSH, AS AN  
3           AGENCY, HAS DONE OVER ITS THIRTY YEAR OR SO  
4           HISTORY. WE ARE LOOKING FOR RATHER SUBSTANTIAL  
5           CONTRACTOR SUPPORT TO HELP US START TO MOVE  
6           THROUGH THE BACKLOG OF DOSE RECONSTRUCTION  
7           CASES THAT ARE CONFRONTING US. AND HOPEFULLY,  
8           WILL HAVE THAT CONTRACT IN PLACE WITHIN THE  
9           NEXT MONTH OR SO AT WHICH POINT I THINK WE'LL  
10          BE ABLE TO MAKE FAIRLY SUBSTANTIAL PROGRESS IN  
11          TERMS OF RESOLVING MANY OF THESE DOSE  
12          RECONSTRUCTIONS. I CAN OUTLINE BRIEFLY WHAT  
13          GOES ON IN DOSE RECONSTRUCTION, MAYBE I SHOULD  
14          DO THAT IN JUST A COUPLE OF MINUTES. ONCE WE  
15          RECEIVE THE CLAIM FROM NIOSH WE SEND THE  
16          CLAIMANTS AN ACKNOWLEDGEMENT LETTER AND I  
17          SUPPOSE MANY OF YOU HAVE RECEIVED THAT,  
18          ENCLOSED WITH A LITTLE REFRIGERATOR MAGNET THAT  
19          YOU CAN WRITE YOUR NIOSH TRACKING NUMBER ON.  
20          I'M SORRY WE GAVE YOU ANOTHER NUMBER IN  
21          ADDITION TO YOUR SOCIAL SECURITY NUMBER, BUT IT  
22          MAKES IT EASIER FOR US TO TRACK THINGS. WE  
23          LIST SOME IMPORTANT CONTACT INFORMATION ON  
24          THERE. HOW TO GET IN TOUCH WITH US, EITHER  
25          TOLL FREE NUMBER OR DIRECT LINE TO OUR OFFICE.

1 WE ALSO GIVE YOU THE SITE WHERE YOU CAN GO ON  
2 TO OUR WEBSITE. I WOULD ENCOURAGE THOSE OF YOU  
3 THAT HAVE THAT CAPABILITY TO DO SO. IT  
4 CONTAINS A LOT OF WHAT WE THINK IS FAIRLY  
5 USEFUL INFORMATION TO CLAIMANTS, IT EXPLAINS  
6 DOSE RECONSTRUCTION IN SOME DETAIL. YOU CAN  
7 READ OUR RULES IF YOU CARE TO. AND THERE'S A  
8 SECTION OF FREQUENTLY ASKED QUESTIONS, WHICH I  
9 THINK CAN BE USEFUL TO HELP YOU UNDERSTAND WHAT  
10 OUR PARTICULAR ROLE IS. THEN WE REQUEST  
11 INFORMATION FROM THE APPROPRIATE DOE SITE.  
12 ONCE WE GET THAT INFORMATION BACK, WE EVALUATE  
13 IT TO SEE IF IT IS SUFFICIENT TO GO AHEAD AND  
14 INITIATE A DOSE RECONSTRUCTION. IF NOT, THEN  
15 WE NEED TO ASK FOR CLARIFICATION OR MORE  
16 INFORMATION. WE SCHEDULE AN INTERVIEW WITH  
17 EACH AND EVERY CLAIMANT. THAT IS A VERY  
18 IMPORTANT PART OF OUR PROCESS BECAUSE WE FEEL  
19 LIKE IN MANY CASES WHAT THE EMPLOYEE OR  
20 SURVIVOR HAS TO TELL US IS GOING TO BE KEY IN  
21 OUR EFFORTS TO ESTIMATE THE EMPLOYEE'S DOSE.  
22 THAT IS AN IMPORTANT PART OF THE PROCESS. WE  
23 REPORT BACK TO YOU WHAT WE THINK YOU SAID  
24 DURING THE INTERVIEW AND GIVE YOU A CHANCE TO  
25 VERIFY IT BEFORE WE GO ON TO THE NEXT STEP AND

1            THEN WE ATTEMPT TO DO A DOSE RECONSTRUCTION.  
2            BASICALLY WHAT WE ARE TRYING TO COME UP WITH IS  
3            ANNUAL DOSES TO THE ORGAN SITE WHERE THE CANCER  
4            DEVELOPED. IT IS VERY IMPORTANT TO KNOW THAT  
5            WE ARE BRINGING THE BEST POSSIBLE SCIENCE TO  
6            THIS AND IT IS NOT JUST A LIFETIME SORT OF  
7            ACCUMULATED DOSE. IT IS REALLY THE SPECIFIC  
8            ANNUAL DOSE TO THE SITE WHERE YOUR CANCER  
9            DEVELOPED, THAT IS WHAT IS REQUIRED AND THAT  
10          CAN BE SOMEWHAT CHALLENGING OBVIOUSLY. WE HAVE  
11          BUILT IN CERTAIN EFFICIENCY PROCESSES IN OUR  
12          DOSE RECONSTRUCTION METHODS, WHICH PERMIT US TO  
13          CEASE DOING FURTHER RESEARCH IF IT'S CLEAR THAT  
14          THE CLAIM IS LIKELY TO BE COMPENSABLE. ON THE  
15          OTHER SIDE, IF WE CAN ASSIGN WORSE CASE  
16          ESTIMATES OF DOSE AND IF THAT WOULD NEVER GET  
17          THE PERSON TO A COMPENSABLE POSITION THEN WE  
18          FEEL LIKE IT IS TIME TO SPEND OUR RESOURCES IN  
19          OTHER AREAS. THERE ARE SOME EFFICIENCY  
20          PROCESSES WHICH WE HOPE WILL MAKE IT EASIER FOR  
21          US TO COMPLETE THE MOST DOSE RECONSTRUCTIONS  
22          POSSIBLE. AFTER WE HAVE DONE A DOSE  
23          RECONSTRUCTION WE DEVELOP A REPORT AND WE SEND  
24          IT DIRECTLY TO THE CLAIMANT. THEY GET A CHANCE  
25          TO REVIEW IT AND ESSENTIALLY SAY WHETHER OR NOT

1 WE'VE CONSIDERED ALL RELEVANT INFORMATION. WE  
2 HOLD A CLOSEOUT INTERVIEW WITH THE CLAIMANT TO  
3 GIVE THEM A CHANCE TO TELL US IF WE'VE MISSED  
4 ANYTHING, TO ANSWER ANY QUESTIONS ABOUT THE  
5 REPORT THEY MIGHT HAVE. AND THEN ONCE THE  
6 CLAIMANT IS SATISFIED WITH OUR DOSE  
7 RECONSTRUCTION REPORT, THEY SIGN A FORM AND  
8 TELL US THAT AND THE CLAIM GOES BACK TO  
9 DEPARTMENT OF LABOR FOR FINAL ADJUDICATION.  
10 THAT IS WHERE WE ARE, IN A NUTSHELL, AND BE  
11 INTERESTED IN HEARING FROM YOU.

12 MR. LAWSON: THANK YOU, MR. SUNDIN.  
13 BEFORE WE OPEN UP THE FLOOR FOR COMMENTS, LET  
14 ME REVIEW BRIEFLY A COUPLE OF THE PROCEDURES,  
15 GROUND RULES, SO THAT WE CAN HAVE AS MUCH INPUT  
16 FROM AS MANY PEOPLE AS POSSIBLE. PLEASE  
17 REMEMBER THAT THE INFORMATION ON THE STATUS OF  
18 SPECIFIC CLAIMS WILL NOT BE DISCUSSED IN THIS  
19 PUBLIC FORUM TO RESPECT THE PRIVACY OF  
20 INDIVIDUALS OR FAMILY MEMBERS WHO ARE SEEKING  
21 COMPENSATION. I REMIND YOU THAT THOSE OF YOU  
22 WHO ARE SEEKING SUCH INFORMATION MAY VISIT THE  
23 OAK RIDGE ENERGY EMPLOYEES COMPENSATION  
24 RESOURCE CENTER LOCATED AT 800 OAK RIDGE  
25 TURNPIKE SUITE C-103. HANDOUT MATERIAL, I

1           THINK, IS AVAILABLE AT THE REGISTRATION TABLE  
2           THAT HAS THIS INFORMATION AND OTHER INFORMATION  
3           THAT MAY BE HELPFUL TO YOU.  PEOPLE ARE HERE  
4           TONIGHT TO REGISTER YOU FOR A SPECIFIC  
5           APPOINTMENT AT THE CENTER, IF YOU WISH.  CAN  
6           SOMEBODY TELL ME WHERE THOSE PEOPLE ARE?  
7           GREAT.  THANK YOU.  ALSO, IF YOU WISH TO SPEAK,  
8           GO TO ONE OF THE TWO MICROPHONES WE HAVE.  ONE  
9           IS OVER HERE AND ONE IS THERE.  PLEASE BE  
10          CONCISE SO THAT AS MANY OF YOUR NEIGHBORS AND  
11          OTHER ATTENDEES MAY HAVE THE OPPORTUNITY TO  
12          SPEAK AS WELL.  REMEMBER ONLY ONE QUESTION PLUS  
13          A FOLLOW-UP, IF IT IS NECESSARY, PER PERSON  
14          UNTIL EACH PERSON WHO WISHES TO SPEAK HAS AN  
15          INITIAL OPPORTUNITY TO DO SO.  I WOULD ASK YOU  
16          TO PLEASE HELP ALL OF US HERE UNDERSTAND YOUR  
17          COMMENTS BY SPEAKING AS CLEARLY AS POSSIBLE AND  
18          ONLY ONE PERSON SPEAKING AT A TIME SO THAT THE  
19          PEOPLE WHO ARE SPEAKING ARE NOT INTERRUPTED OR  
20          THAT ANYBODY SPEAKS OVER THEM.  THERE IS A  
21          STENOGRAPHER HERE IN FRONT OF ME, WHO IS JOAN  
22          ROBERTS, SHE IS HERE TO RECORD YOUR COMMENTS  
23          AND QUESTIONS, EVEN THOUGH THIS IS NOT A FORMAL  
24          HEARING.  IF ANY OF YOU HAVE BROUGHT A WRITTEN  
25          COPY OF ANY COMMENTS OR THOUGHTS THAT YOU HAVE

1           THAT YOU WOULD LIKE TO LEAVE WITH US YOU CAN  
2           EITHER HAND THEM TO ME OR HAND THEM TO SOMEBODY  
3           AT THE REGISTRATION TABLE OUTSIDE AS YOU CAME  
4           IN. WE HAVE NEARLY AN HOUR AND A HALF AND I  
5           WOULD JUST ASK YOU TO BE AS CONCISE AS YOU  
6           WOULD AND GIVE US YOUR NAME OR NOT. IT'S UP TO  
7           YOU.

8                       SPEAKER: MY NAME IS CONRAD STRIKE. I  
9           WORKED AT Y-12 FOR THIRTY-FIVE YEARS IN WEAPONS  
10          WORK. I HAVE A QUESTION AND A FOLLOW-UP. MY  
11          QUESTION IS WHY WAS Y-12, X-10, ROCKY FLATS AND  
12          A LOT OF THE OTHER PLACES EXCLUDED FROM THE  
13          SPECIAL EXPOSURE COHORT WHEN WE WORKED AROUND  
14          AS DANGEROUS, OR MORE DANGEROUS, MATERIALS THAN  
15          ANY AT ANY OF THE GASEOUS DIFFUSION PLANTS.  
16          WHY WERE WE EXCLUDED? WAS IT POLITICAL?

17                      MR. LAWSON: MR. TURCIC.

18                      MR. TURCIC: THE ORIGINAL LISTING OF  
19          WHAT FACILITIES ARE COVERED BY THE SPECIAL  
20          EXPOSURE COHORT ARE SPELLED OUT SPECIFICALLY IN  
21          THE ACT SO THAT CONGRESS, WHEN THEY PASSED THE  
22          ACT, SPECIFICALLY IDENTIFIED THE THREE GASEOUS  
23          DIFFUSION PLANTS; AMCHITKA, AND AMCHITKA AS  
24          SPECIAL EXPOSURE COHORTS AND THEN PROVIDED THE  
25          PROVISION FOR ADDITIONS TO THE SPECIAL EXPOSURE

1 COHORT FOR GROUPS OF PEOPLE AND THAT GAVE NIOSH  
2 THE RESPONSIBILITY TO DEVELOP THE PROCEDURE AND  
3 THEN IT IS THE SECRETARY OF HEALTH AND HUMAN  
4 SERVICES WOULD MAKE A DECISION TO ADD OTHER  
5 FACILITIES OR GROUPS OF PEOPLE. BUT YES, THAT  
6 WAS SPELLED OUT RIGHT IN THE ACT.

7 MR. LAWSON: HAVE THOSE OTHER FACILITIES  
8 NOW BEEN ADDED?

9 MR. TURCIC: NO, NIOSH IS IN THE PROCESS  
10 OF WORKING ON THE PROCEDURES TO ADD THOSE.

11 MR. LAWSON: FOLLOW-UP QUESTION?

12 SPEAKER: JUST IN FOLLOW-UP, YOU REALLY  
13 HAVEN'T ANSWERED THE QUESTION. ALL YOU DID WAS  
14 REFER TO AN ACT, WHICH MOST OF US DON'T HAVE  
15 THE KNOWLEDGE OR ABILITY TO SIT DOWN AND READ  
16 THROUGH SOME POLITICAL ACT THAT WAS ENACTED UP  
17 IN WASHINGTON, DC. CAN YOU PERSONALLY TELL ME  
18 WHY WE WERE EXCLUDED?

19 MR. TURCIC: I WAS NOT INVOLVED IN THAT  
20 AND I CAN'T ADDRESS THAT.

21 MS. COOK: LET ME MAKE A COMMENT JUST  
22 BECAUSE, LIKE I SAID, THIS IS PERSONAL FOR ME  
23 TOO. THIS IS A VERY COMPLICATED LEGISLATION  
24 AND THERE'S LOTS OF THINGS IN AND LOTS OF  
25 THINGS OUT. WHAT I WOULD SUGGEST TO YOU IS



1           THAT THAT IS WHY THE STAFF FROM YOUR ELECTED  
2           OFFICIALS OFFICES ARE SITTING OVER HERE TO HEAR  
3           YOUR COMMENTS ON THIS. I REFERRED TO IT AS A  
4           GOOD FIRST STEP AND I DO BELIEVE THAT'S A GOOD  
5           FIRST STEP, BUT I THINK THERE IS MORE THINGS TO  
6           BE CONSIDERED, BUT THIS IS WHERE THEY ENDED UP  
7           IN THE LEGISLATION.

8                       SPEAKER: WHAT IS LEGISLATION GOING TO  
9           DO ABOUT IT? WE ARE SITTING HERE WAITING FOR  
10          SOMETHING TO HAPPEN. A LOT OF US ARE DYING  
11          WITH CANCER. I HAVE NON-HODGKINS LYMPHOMA AND  
12          I MIGHT LIVE A YEAR, I MIGHT LIVE FIFTY YEARS,  
13          I DON'T KNOW, BUT I DON'T HAVE TIME TO SIT  
14          AROUND AND WAIT FOR POLITICIANS WHEN THIS CAN  
15          BE CHANGED. THIS CAN BE CHANGED IF ENOUGH  
16          PEOPLE ARE CONCERNED ABOUT OUR HEALTH TO DO  
17          SOMETHING ABOUT IT INSTEAD OF SAYING IT IS IN  
18          AN ACT. AN ACT IS NOT GOING TO GET IT.

19                      MR. LAWSON: I THINK YOU ARE DOING  
20          EXACTLY THE RIGHT THING BECAUSE YOUR COMMENTS  
21          ARE BEING RECORDED AND THERE ARE MEMBERS OF THE  
22          CONGRESSIONAL DELEGATION THAT ARE HEARING YOUR  
23          COMMENTS.

24                      SPEAKER: MY FOLLOW-UP WAS GOING TO BE  
25          WILL THE Y-12, X-10 AND ROCKY FLATS, WILL SOME

1           OF THESE PLANTS BE POSSIBLY INCLUDED AND IF YOU  
2           HAVE ALREADY BEEN THROUGH THE NIOSH THING AND  
3           SOMETHING HAPPENS THERE, THEN YOU COME BACK  
4           AND...?

5                   MS. COOK: IF YOU DO YOUR DOSE  
6           RECONSTRUCTION AND THE RESULTS COME OUT THEN IT  
7           AUTOMATICALLY PUTS YOU BACK IN THE DOL PROGRAM.  
8           THAT'S THE PART THAT GOES BACK IN. THE ONLY  
9           THING, AGAIN I HAVE TO WORK WITHIN THE  
10          LEGISLATION THAT IS THERE AS AN AGENCY, SO WHAT  
11          I CAN DO IS EMPLOYMENT VERIFICATION TO GET YOUR  
12          RECORDS TOGETHER AND ALL THAT KIND OF THING AND  
13          HELP WITH STATE WORKERS COMP. BUT FOR  
14          RADIATION INDUCED CANCERS, WE WORK AS HARD AS  
15          WE CAN TO MAKE SURE THEY HAVE THE PROPER  
16          BACKGROUND INFORMATION. AND I'M WATCHING VERY  
17          CAREFULLY ON HOW THEY GET THE PROCEDURES IN  
18          PLACE TO BE ABLE TO ADD OTHER SPECIAL COHORT  
19          GROUPS SO THAT WE CAN DEAL WITH GROUPS THAT  
20          MAYBE SHOULD BE BACK IN AS A SPECIAL COHORT.

21                   SPEAKER: I APPRECIATE YOUR TIME AND  
22          I'LL DEFER TO SOMEONE ELSE. THANK YOU.

23                   MR. LAWSON: WE'LL TAKE THIS GENTLEMAN  
24          AND THEN WE'LL GO OVER HERE.

25                   SPEAKER: MY NAME IS ERNEST SHEPHERD, I

1           WORKED AT X-10 FOR TWENTY-SEVEN YEARS AND I  
2           NOTICED ON YOUR OVERHEAD PROJECTOR YOU HAD  
3           LISTED THERE ONE ITEM WAS RENAL DISORDER.  WHAT  
4           IS THAT?

5                   MR. TURCIC: THAT IS RENAL DISEASE AND  
6           RENAL DISEASE, AS I SAID, IS ONLY COVERED IN  
7           THE DEPARTMENT OF LABOR PROGRAM FOR PEOPLE WHO  
8           FALL UNDER THE RECA PROGRAM ADMINISTERED BY THE  
9           DEPARTMENT OF JUSTICE.

10                   MR. LAWSON: HE IS ASKING WHAT IS A  
11           RENAL DISORDER.

12                   MR. TURCIC: IT'S ANY RENAL DISEASE.

13                   AUDIENCE: KIDNEYS.

14                   SPEAKER: THAT IS WHAT I HAD, ONE  
15           KIDNEY, RENAL DISORDER AND THEY REMOVED IT.  IF  
16           I HAVE ANOTHER ONE, I MAY HAVE TO COME SEE YOU  
17           ALL.  THANK YOU.

18                   MR. LAWSON: THANK YOU, SIR. TAKE THIS  
19           GENTLEMAN OVER HERE.

20                   SPEAKER: WE ARE HONORED TO HAVE YOU  
21           HERE.  WE FEEL LIKE YOU ARE IMPORTANT PEOPLE  
22           AND WE ARE GOING TO HAVE A FURTHER MEETING  
23           INFORMATION PICKETING JULY 15TH AT FOUR P.M.  
24           JACKSON PLAZA OFFICE COMPLEX AT 800 OAK RIDGE  
25           TURNPIKE.  THE OFFICE OF WORKER ADVOCACY.  YOU

1           PROBABLY KNOW WHERE THAT IS. WE WOULD BE  
2           HONORED IF YOU WOULD BE THERE. WE ARE MUCH  
3           CONCERNED ABOUT THIS DOSE RECONSTRUCTION. IT  
4           CAN'T BE DONE BECAUSE THERE IS NOT RECORDS AND  
5           WE NEED ANOTHER WAY TO DO THIS. WE NEED TO DO  
6           THE AFFIDAVIT ROUTE OR SOMETHING, SWEAR PEOPLE,  
7           HIRE A BUNCH OF LAWYERS TO TAKE STATEMENTS, BUT  
8           THE DOSE RECONSTRUCTION, THE INFORMATION IS NOT  
9           THERE. WE HAVE PEOPLE IN THIS AUDIENCE WHO  
10          WON'T BE HERE AT THE END OF THE YEAR TO HEAR  
11          ABOUT WHAT HAPPENS, SO WE NEED ATTENTION NOW.  
12          IT HAS BEEN STATED THAT ATTENTION WAS GOING TO  
13          BE GIVEN BY THE END OF THE YEAR. A LOT OF  
14          PEOPLE WON'T BE HERE AT THE END OF THE YEAR.  
15          THANK YOU.

16                 MS. COOK: LET ME COMMENT ON THAT. I  
17          MENTIONED MY FRIEND IN IDAHO. WE WERE WAITING  
18          FOR NIOSH TO GET THEIR RULES IN PLACE AND MANY  
19          OF YOU KNOW WHAT THIS IS LIKE. WHEN YOU FIRST  
20          GET CANCER YOU THINK YOU ARE GOING TO BEAT IT,  
21          EVERYBODY THINKS THEY ARE GOING TO BEAT IT, YOU  
22          HAVE TO BELIEVE YOU ARE GOING TO BEAT IT, BUT  
23          THAT DAY COMES WHEN YOU KNOW YOU ARE NOT GOING  
24          TO. SO WHEN HE FIRST APPLIED HE THOUGHT HE  
25          COULD WAIT AND HE WAITED HIS TURN TO DO HIS

1 INTERVIEWS AND TALK, RIGHT, AND THEN THE DAY  
2 CAME WHEN HE KNEW HE DIDN'T HAVE MUCH TIME LEFT  
3 AND I TALKED TO MY STAFF AND WE IMMEDIATELY  
4 CALLED NIOSH, THEY GOT ON THE PHONE AND CALLED  
5 HIM UP AND STARTING DOING INTERVIEWS. HE IS  
6 NOT LOOKING FOR MONEY, HE IS NOT LOOKING FOR  
7 COMPENSATION OF ANY KIND, BUT WHAT HE DOES WANT  
8 IS HE WANTS TO MAKE SURE THAT HIS RECORDS GET  
9 INTO THAT DATA BASE. YOU HAVE CALLING OUT  
10 THERE AND SOME OF YOU ARE LIKE THIS TOO. YOU  
11 WANT TO MAKE SURE THE INFORMATION IS AVAILABLE.  
12 DOSE RECONSTRUCTION IS GOING TO BE VERY  
13 DIFFICULT, BUT I THINK AS WE WORK TOGETHER AS  
14 CURRENT AND FORMER WORKERS WE START PULLING  
15 TOGETHER THE HISTORY OF THESE FACILITIES AND  
16 THE KIND OF WORK THAT WAS DONE AND THE KIND OF  
17 DOSES THAT PEOPLE WERE EXPOSED TO THAT WE CAN  
18 GET A WHOLE STORY TOGETHER, BUT IT IS GOING TO  
19 BE DIFFICULT AND AT THE END OF THE DAY THERE  
20 MAY BE TIMES WHEN WE TALKED ABOUT SPECIFIC  
21 FACILITIES AND SPECIFIC OPERATIONS FOR WHICH WE  
22 MAY HAVE TO GO SPECIAL COHORT ROUTE BECAUSE WE  
23 CANNOT COME UP WITH A REAL CLEAR DOSE  
24 RECONSTRUCTION. I THINK THERE'S GOING TO BE A  
25 LOT OF VARIETY. PLEASE ENCOURAGE FOLKS, I KNOW

1           IT IS HARD TO DO IF YOU ARE SICK, BUT PLEASE  
2           ENCOURAGE FOLKS WHO MAY NOT HAVE A LOT OF TIME  
3           LEFT TO SPEAK UP SO THAT WE CAN GET THOSE  
4           INTERVIEWS DONE WITH THOSE FOLKS AND MAKE SURE  
5           THAT THEIR HISTORY GETS INTO THE DATA BASE TO  
6           HELP OTHER FOLKS.

7                       SPEAKER: THANK YOU. LOOK FORWARD TO  
8           SEEING YOU LATER.

9                       MR. LAWSON: I'LL TAKE THIS LADY OVER  
10          HERE PLEASE.

11                      SPEAKER: IF YOU THINK DOSE  
12          RECONSTRUCTION IS DIFFICULT FOR THESE PEOPLE  
13          NOW WHO ARE ILL, TRY TO DO IT FOR SOMEONE THAT  
14          WORKED HERE ON THE ATOMIC BOMB IN 1944 AND '45,  
15          WHICH WAS MY FATHER. WHEN I WAS SEVENTEEN I  
16          NURSED MY FATHER THROUGH CANCER AND HE LIVED  
17          FOR SIX MONTHS. HE HAD BONE CANCER, LUNG AND  
18          LIVER. IT IS ALMOST IMPOSSIBLE FOR ME TO BRING  
19          BACK ANY OF THOSE FACTS FROM 1944. I HAVE  
20          DOCUMENTS THAT PROVE HE WAS HERE, THE  
21          CONTRACTOR THAT HE WORKED WITH, BUT I DON'T  
22          WANT TO TALK ABOUT A PARTICULAR CASE. EVERYONE  
23          HERE IS SPECIAL, BUT THE THING THAT UPSETS ME  
24          IS THAT WHEN THIS LAW FIRST BECAME A LAW OR AN  
25          AMENDMENT, OR WHATEVER YOU WANT TO CALL IT, IN

1           JULY LAST YEAR MY SISTER AND I, I WAS A MINOR  
2           AT THE TIME MY FATHER DIED, I WAS SEVENTEEN. I  
3           WAS THE YOUNGEST OF NINE CHILDREN BORN IN  
4           EXTREME POVERTY BECAUSE MY FATHER WAS ILL. MY  
5           SISTER WAS THE ONLY ONE OF THE NINE OF US WHO  
6           GOT TO GO TO COLLEGE AND THAT WAS BECAUSE OF A  
7           FULL SCHOLARSHIP AND SHE GAVE UP THAT  
8           SCHOLARSHIP TO COME HOME AND SEND ME THROUGH  
9           HIGH SCHOOL BECAUSE DAD WAS DYING. BUT NOW WE  
10          WERE THE FIRST IN LINE. WE WATCHED THIS COME  
11          INTO BEING AND WE BOTH FILED FOR BENEFITS JULY  
12          OF LAST YEAR BECAUSE WE BOTH QUALIFIED UNDER  
13          THE MINOR AND THE FULL TIME COLLEGE STUDENT.  
14          AND NOW THEY ARE SAYING, THE LATEST LETTER THAT  
15          WE GOT, IS THAT WE ARE, WE MUST PROVIDE  
16          INFORMATION CONCERNING EVERYONE ON ALL SEVEN OF  
17          THE OTHER CHILDREN WHO WERE ON THEIR OWN AND  
18          MARRIED AT THE TIME. I KNOW THIS SOUNDS  
19          SELFISH, BUT MY FATHER WAS CONCERNED ABOUT US,  
20          I REMEMBER HIM TELLING ME ON HIS DEATH BED THAT  
21          HE WAS SO SORRY THAT HE WAS NOT GOING TO BE  
22          ABLE TO RAISE ME AND YET I FILE AND WHY, THIS  
23          IS MY QUESTION AND THIS IS THE END. MY SISTER  
24          AND I FILED IN JULY OF LAST YEAR AND WE HAVE  
25          HAD NOTHING POSITIVE SAID TO US. AND THEN WE

1 GET A LETTER THAT SAYS WE HAVE GOT TO RESEARCH  
2 THE OTHER SEVEN CHILDREN AND GET ALL THAT  
3 INFORMATION IN AND WE CAN'T DO THAT, THEY ARE  
4 SCATTERED TO THE WINDS, AND I DON'T SEE WHY WE  
5 SHOULD HAVE TO PROVIDE FOR AN AMENDMENT CHANGE  
6 WHEN WE FILED UNDER THE OLD LAW. MY QUESTION  
7 IS; WHY, SINCE WE FILED UNDER THE LAW AS A  
8 MINOR AND A FULL TIME COLLEGE STUDENT, CAN WE  
9 NOT GET ANY BENEFITS?

10 MR. LAWSON: LET'S SEE IF WE HAVE AN  
11 ANSWER TO THAT.

12 MR. TURCIC: YOU WOULD STILL, THE ONLY  
13 THING CHANGED IS THE AMENDMENT THAT I TALKED  
14 ABOUT WAS PASSED IN DECEMBER AND IT WAS MADE  
15 RETROACTIVE TO THE EFFECTIVE DATE OF THE LAW  
16 WHICH WOULD BE JULY 31ST.

17 SPEAKER: EVEN IF YOU HAD ALREADY FILED.

18 MR. TURCIC: AND YOU WOULD BE ENTITLED  
19 TO BENEFITS AND THE WAY THAT WOULD WORK WAS IF  
20 WE WERE AWARE OF SAY FIVE POTENTIAL  
21 BENEFICIARIES, WE WOULD NOT STOP PROCESSING IF  
22 WE COULD NOT FIND SOME OF THEM, BUT WE WOULD GO  
23 AHEAD AND PROCESS AND MAKE A DETERMINATION AS  
24 IF WE KNEW WHERE ALL FIVE POTENTIAL CLAIMANTS  
25 BECAUSE THE OTHER FOUR HAVE AN ENTITLEMENT TO



1 AN EQUAL SHARE.

2 SPEAKER: THEY DIDN'T WHEN I FILED MY  
3 CLAIM.

4 MR. TURCIC: I'M SAYING BUT THE LAW WAS  
5 MADE RETROACTIVE TO JULY 31ST.

6 SPEAKER: MY CLAIM WENT IN ON JULY 31ST.

7 MR. TURCIC: I UNDERSTAND THAT, BUT THE  
8 LAW CHANGED. THERE WERE A LOT OF PEOPLE WHO  
9 WERE NOT ELIGIBLE BECAUSE THEY WERE NOT MINORS  
10 AT THE TIME THEY LOST THEIR PARENTS AND THAT  
11 WAS THE SINGLE BIGGEST ISSUE THAT WE HEARD WHEN  
12 WE WENT AROUND THE COUNTRY IN THESE HEARINGS.

13 SPEAKER: AND I'M ON THE OTHER SIDE OF  
14 THE FENCE.

15 MR. TURCIC: AND THEN CONGRESS CHANGED  
16 THAT IN DECEMBER TO DO AWAY WITH THE AGE  
17 REQUIREMENT SO THAT A SURVIVOR, A SURVIVING  
18 CHILD, DID NOT HAVE TO BE UNDER THE AGE OF  
19 EIGHTEEN IN ORDER TO BE ELIGIBLE FOR BENEFITS  
20 UNDER THE ACT.

21 SPEAKER: BUT I WAS AND NOW I'M NOT  
22 GOING TO GET ANYTHING.

23 MR. LAWSON: LET ME JUST ASK A QUESTION  
24 OF MR. TURCIC. IF THERE ARE OTHER PEOPLE IN  
25 THE ROOM WHO ARE IN THE SAME SITUATION, WHAT

1           SHOULD THEY DO AT THIS POINT IF THEY FILED THE  
2           CLAIM AND THEY DIDN'T GET ANY POSITIVE  
3           RESPONSE?

4                   MR. TURCIC: WHAT HAPPENS IS THAT ONCE  
5           YOU GET TO THE POINT WHERE WE WOULD BE ISSUING  
6           A RECOMMENDED APPROVAL, THEN THE NEXT STEP  
7           WOULD BE TO SEND OUT WHAT WE CALL AN EN15 AND  
8           THAT EN15 ASKS FOR SPECIFIC INFORMATION  
9           RELATIVE TO ANY LAWSUITS THAT HAVE BEEN FILED  
10          OR SETTLEMENTS AND ALSO OTHER POTENTIAL  
11          CLAIMANTS. IF YOU HAD OTHER SIBLINGS. AND WE  
12          WOULD JUST GO AHEAD AND PROCESS AS IF, AND THEN  
13          IF YOU COULD SHOW THAT THAT INDIVIDUAL, THE  
14          OTHER POTENTIAL CLAIMANT, WAS NOT --

15                   SPEAKER: WHY DOES THAT FALL MY BURDEN?

16                   MR. TURCIC: THE PART THAT FALLS ON YOUR  
17          BURDEN IS YOU WILL GET YOUR SHARE, IF YOUR  
18          CLAIM WAS AWARDED, DID YOU SAY NINE KIDS?

19                   SPEAKER: UH-HUH.

20                   MR. TURCIC: YOU WOULD GET AN EQUAL  
21          SHARE OF THAT. IF FOR SOME REASON SOME OF  
22          THOSE OF YOUR OTHER EIGHT SIBLINGS --

23                   SPEAKER: WHO WERE NOT MINORS AT THE  
24          TIME THEIR FATHER DIED.

25                   MR. TURCIC: WELL, BUT THE LAW DOES NOT

1           REQUIRE THAT ANYMORE. THEN IF AT SOME POINT IN  
2           TIME WE BECAME AWARE THAT THEY WERE NO LONGER  
3           ELIGIBLE, FOR WHATEVER REASON, THEN YOUR SHARE  
4           WOULD THEN GO UP, BUT THE LAW PROVIDES FOR  
5           SPOUSE TAKES IT ALL OR EQUAL SHARE AMONG ALL  
6           CHILDREN.

7                   MR. LAWSON: TOMORROW WHAT SHOULD SHE  
8           DO?

9                   MR. TURCIC: THERE IS NOTHING THAT SHE  
10          NEEDS TO DO.

11                   SPEAKER: NO, IT'S JUST SETTING THERE  
12          AND THAT'S WHAT THE LETTER SAID THAT I GOT FROM  
13          YOU ALL. IS THAT NOTHING WILL BE DONE UNTIL I  
14          CAN PROVIDE INFORMATION CONCERNING ALL OF MY  
15          FATHER'S CHILDREN. WHY DOES THAT FALL MY  
16          BURDEN? I WAS A MINOR, I WAS A CHILD, MY  
17          FATHER DIED, I NURSED HIM UNTIL HE DIED AND YET  
18          MY CLAIM IS SITTING DOING NOTHING.

19                   MR. TURCIC: WE WILL LOOK INTO THAT, BUT  
20          LIKE I'M SAYING, WHAT THE PROCESS IS IS THAT IF  
21          WE BECOME AWARE OF OTHER POTENTIAL CLAIMANTS  
22          THAT WE CANNOT FIND, WE WILL GO AHEAD AND  
23          PROCESS IT AND GIVE YOU WHATEVER.

24                   SPEAKER: NO, THEY ARE NOT. THEY SAID  
25          THEY WOULD NOT PROCESS IT UNTIL I CAME UP WITH

1 ALL OF THE INFORMATION.

2 MR. TURCIC: YOU HAVE TO FILL OUT THE  
3 FORM SAYING THAT IF THERE WERE OTHER POTENTIAL  
4 CLAIMANTS. IF YOU SAY NO, YOU HAVE TO PROVIDE  
5 ACCURATE AND TRUTHFUL INFORMATION. SO ALL YOU  
6 ARE BEING ASKED FOR IS PROBABLY THE EN15, WHICH  
7 SAYS ARE YOU AWARE OF ANY OTHER POTENTIAL, YOU  
8 DON'T HAVE TO SAY WHERE THEY ARE. YOU DON'T  
9 HAVE TO GET INTO ANY OF THAT, IF YOU DON'T KNOW  
10 THAT.

11 MR. LAWSON: I WOULD JUST RECOMMEND THAT  
12 YOU AND OTHER PEOPLE ON AN INDIVIDUAL CASE TO  
13 TALK TO SOMEBODY AT THIS OFFICE THAT I  
14 MENTIONED EARLIER.

15 MR. TURCIC: NO, I NEED TO CORRECT THAT.  
16 IN SITUATIONS LIKE THAT THEY SHOULD NOT BE  
17 GOING BACK TO THE RESOURCE CENTER ON CASE  
18 SPECIFIC CLAIMS. THEY NEED TO TALK TO THE  
19 DISTRICT OFFICE, WHICH HAS THEIR CLAIM  
20 INFORMATION. THE RESOURCE OFFICE HERE DOES NOT  
21 HAVE THEIR CLAIM.

22 MR. LAWSON: SO THE DISTRICT OFFICE IS  
23 JACKSONVILLE?

24 MR. TURCIC: THAT'S CORRECT.

25 MR. LAWSON: DOES EVERYONE HAVE THE

22 MS. COOK: I GUESS I DON'T KNOW TO WHAT  
23 YOU'RE REFERRING. YOU ARE TALKING ABOUT THE  
24 FIRST PART OF THAT WAS YOUR CLAIM.

25 SPEAKER: WHEN IT WAS FIRST PASSED WE

1           WENT AND SPOKE IN THE SENATE TO ALL THE  
2           OFFICIALS. IT WAS PASSED ON TO RICHARDSON BY  
3           DR. MICHAELS. IT WAS PASSED ON TO PRESIDENT  
4           CLINTON AND HE SIGNED IT BEFORE HE LEFT OFFICE.  
5           AND THIS WAS OUR UNDERSTANDING WHEN WE LEFT  
6           WASHINGTON THAT THIS IS THE WAY IT WOULD BE  
7           CARRIED OUT. BUT IT HAS BEEN CARRIED OUT  
8           ALTOGETHER DIFFERENT. THE SICK PEOPLE, I'M A  
9           VERY SICK PERSON AND IF YOU WORK IN A PLACE  
10          SIXTEEN AND A HALF YEARS WITH ALL THE CHEMICALS  
11          THERE ARE, YOU KNOW YOU ARE INFECTED. EITHER  
12          THE DOCTORS HAVE ALZHEIMER'S, OR SOMEONE HAS  
13          IT, BECAUSE THEY ARE FORGETTING TO WRITE OUT  
14          THE REPORTS. AND THEY SAY YOU ALL ARE NOT  
15          READING THEM RIGHT. I WANT TO KNOW WHAT IS  
16          GOING ON BECAUSE, AS HAS BEEN SAID HERE SEVERAL  
17          TIMES, SOME OF US MIGHT NOT LIVE THAT YEAR TO  
18          WAIT UNTIL YOU ALL GET THROUGH POKING THROUGH  
19          WHAT YOU HAVE ALREADY POKED THROUGH. IT IS  
20          TIME NOW TO FACE UP. I JUST GOT BACK FROM  
21          RUSSIA, EVEN OVER THERE THEY HAVE OWNED UP TO  
22          THEIR RESPONSIBILITIES AND I CANNOT SEE WHY WE  
23          CANNOT OWN UP TO OURS. YOU ALL KNOW WE ARE  
24          SICK, WE ARE DESERVING. THANK YOU VERY MUCH.  
25                 MR. LAWSON: IS THERE A BRIEF RESPONSE?

1 SPEAKER: I DON'T NEED A RESPONSE.

2 MR. LAWSON: THIS NEXT LADY OVER HERE  
3 PLEASE.

4 SPEAKER: MY NAME IS JANINE ANDERSON, I  
5 LIVE IN MARYVILLE, TENNESSEE. I'M A FORMER  
6 ADMINISTRATIVE ASSISTANT AT THE K-25 SITE WHERE  
7 I WORKED IN THE PAYROLL AND THE ADMINISTRATIVE  
8 OFFICES. THE THOUSAND ONE BUILDING AND ALSO  
9 THE THOUSAND SEVEN. I HAVE DONE A LOT OF WORK  
10 FOR THE PAST FOUR TO FIVE YEARS TRYING TO HELP  
11 GET THIS LEGISLATION PASSED, GOING BACK AND  
12 FORTH TO WASHINGTON WITH ONE OF THE HEALTH  
13 GROUPS HERE IN OAK RIDGE, COALITION FOR HEALTHY  
14 ENVIRONMENT. I HAVE A COUPLE OF ISSUES THAT I  
15 WOULD LIKE TO ASK THE PANEL QUESTIONS ON.  
16 FIRST OF ALL, I WOULD LIKE TO REFER TO THE  
17 MARCH 31, 2000 NATIONAL ECONOMIC COUNCIL REPORT  
18 AND I WANT TO KNOW IF ANY OF YOU HERE ARE  
19 FAMILIAR WITH THAT REPORT.

20 MS. COOK: YES.

21 MR. TURCIC: I WAS ON THAT REVIEW.

22 SPEAKER: ARE YOU PETER? BECAUSE I CAME  
23 IN LATE.

24 MR. TURCIC: YES.

25 SPEAKER: MY MAIN QUESTION WOULD BE WHAT

1           PART OF THIS REPORT DID YOU NOT UNDERSTAND  
2           WHERE IT STATES THROUGH ITS ENTIRETY THAT THE  
3           SUBTITLE D OR THE MAJOR NUMBER OF EXPOSED  
4           WORKERS UNDER THE TOXIC SUBSTANCES THAT IT  
5           WOULD NOT BE APPROPRIATE TO APPLY THE STATE  
6           WORKERS COMPENSATION TO THE ILLNESSES THAT  
7           THESE PEOPLE HAVE DEVELOPED AS A RESULT OF  
8           THEIR EXPOSURES AT ALL THE FACILITIES ACROSS  
9           THIS COUNTRY. IT IS VERY CLEAR TO ME AFTER  
10          STUDYING THIS REPORT OVER THE PAST YEAR THAT  
11          THIS REPORT THAT WAS WRITTEN AND FROM DR. DAVID  
12          MICHAELS AND IT WAS ASKED TO BE DONE BY THE  
13          PRESIDENT AND TASKED TO THE NATIONAL ECONOMIC  
14          COUNCIL INDICATES THAT THE STATE WORKERS COMP,  
15          BECAUSE OF REASONS YOU MUST KNOW, WILL NOT  
16          WORK.

17                 MS. COOK: SUBTITLE D IS ACTUALLY DOE'S  
18          PART OF IT. YES, I HAVE READ THE REPORT AND  
19          I'VE ALSO READ THE LEGISLATION AND I ALSO KNOW  
20          WHAT BOX I'M IN. AND THE LEGISLATION SAYS MY  
21          JOB IS TO ASSIST PEOPLE THAT APPLIED FOR STATE  
22          WORKERS COMP. WE HAVE LOOKED AT ALL THE  
23          COMMENTS WE HAVE GOT ON OUR INITIAL RULE. I  
24          THINK AS SOON AS IT COMES OUT HERE, OF COURSE  
25          WE'RE IN THE LAST STAGES OF IT, I THINK THAT



1           EVERYONE WILL BE PLEASED ABOUT HOW WE ARE  
2           MOVING FORWARD WITH THE PHYSICIANS PANEL AND  
3           HOW WE'RE DOING JUDGMENTS AND TRYING TO USE  
4           SOME UNIFORM STANDARD TO LOOK AT HOW WE JUDGE  
5           THE ILLNESSES THAT ARE OUTSIDE THE SPECIAL  
6           ILLNESSES, THE OTHER TOXIC ILLNESSES. BUT THE  
7           FACT OF THE MATTER IS THEN WHAT HAPPENS IS IT  
8           ROLLS TO STATE WORKERS COMP. AND AGAIN THAT IS  
9           SOMETHING THAT WE WILL HAVE TO TALK ABOUT WITH  
10          AMENDMENTS TO THE LEGISLATION IF THAT IS NOT  
11          WHERE PEOPLE WANTED TO GO, BUT IN FACT,  
12          SUBTITLE D SAYS ASSIST PEOPLE TO APPLY FOR  
13          STATE WORKERS COMP.

14                 SPEAKER: I WOULD LIKE TO COMMENT THAT  
15                 APPROXIMATELY NINETY TO NINETY-FIVE PERCENT OF  
16                 THE AFFECTED WORKERS IN THIS COUNTRY WOULD FALL  
17                 UNDER SUBTITLE D UNDER THE TOXIC EXPOSURE PART  
18                 OF THIS LEGISLATION AND THEY WILL NOT RECEIVE  
19                 COMPENSATION UNDER STATE WORKERS COMPENSATION.  
20                 THAT IS A TOTALLY ADVERSARIAL PROCESS AND, AS  
21                 YOU KNOW FROM STUDYING THE NEC REPORT, IT WILL  
22                 NOT WORK AND THAT IS MY LAST COMMENT ON THAT.  
23                 THE LEGISLATION, IN MY MIND, WILL HAVE TO BE  
24                 TOTALLY REWRITTEN TO COVER THE LARGEST GROUP OF  
25                 AFFECTED WORKERS. THE SECOND THING I WOULD

1           LIKE TO COMMENT IS VERY CRITICAL AND IT IS  
2           REGARDING DOSE RECONSTRUCTION AT THE OAK RIDGE  
3           FACILITIES. AND I WOULD LIKE TO QUOTE A LETTER  
4           DATED OCTOBER 11, 1991. IT IS ON MARTIN  
5           MARIETTA LETTERHEAD AND IT IS ADDRESSED TO  
6           DR. D.L. CRAGLE, (PHOENETIC) WHO AT THAT TIME  
7           WAS THE DIRECTOR OF THE CENTER FOR  
8           EPIDEMIOLOGIC RESEARCH HERE IN OAK RIDGE. IT  
9           IS SIGNED BY FRED R. MYNATT, WHO WAS THE VICE  
10          PRESIDENT OF COMPLIANCE, EVALUATIONS AND  
11          POLICY. IT SAYS; DEAR DR. CRAGLE, IT IS OUR  
12          UNDERSTANDING THAT THE WORKER RADIATION  
13          EXPOSURE DATA PREVIOUSLY PROVIDED TO THE OAK  
14          RIDGE ASSOCIATED UNIVERSITIES BY MARTIN  
15          MARIETTA ENERGY SYSTEMS INCORPORATED AND ITS  
16          PREDECESSOR, UNION CARBIDE, ARE BEING, AND HAVE  
17          BEEN, USED FOR EPIDEMIOLOGICAL STUDIES. RECENT  
18          REVIEWS INDICATE THAT THIS DATA MAY NOT TOTALLY  
19          OR ACCURATELY REFLECT THE ACTUAL EXPOSURE OF  
20          THE INDIVIDUAL. THE DEPARTMENT OF ENERGY, DOE,  
21          ORDER ADDRESSING WORKER EXPOSURE CHANGED  
22          DRASTICALLY IN 1989 BY REQUIRING THE SUMMATION  
23          OF INTERNAL AND EXTERNAL DOSES. PRIOR TO THAT  
24          TIME BIOASSAY MEASUREMENTS WERE NOT ASSESSED IN  
25          TERMS OF AN INTERNAL DOSE. RESULTS WERE SIMPLY

1           COMPARED WITH AN ACCEPTABLE VALUE AND NO ACTION  
2           WAS TAKEN IF THEY WERE BELOW THAT VALUE.  
3           REPORTING OF THESE RESULTS WAS NOT REQUIRED.  
4           THE OAK RIDGE NATIONAL LABORATORY HAS BEEN  
5           REASSESSING MANY PREVIOUS INTERNAL EXPOSURES IN  
6           LIGHT OF THE CURRENT DOE ORDER AND HAS FOUND  
7           THAT DATA STORED ON THE HISTORY TAPES PROVIDED  
8           TO ORAU MAY BE INADEQUATE FOR DOSE ASSESSMENT.  
9           USE OF THE ORIGINAL HARD COPIES OF BIOASSAY  
10          RESULTS WAS FOUND TO BE NECESSARY. DATA STORED  
11          ON THE HISTORY TAPES PRIOR TO 1989,  
12          PARTICULARLY THOSE ASSOCIATED WITH INTERNAL  
13          EXPOSURES, WERE FOR COMPLIANCE PURPOSES ONLY  
14          AND MAY NOT BE SUFFICIENT FOR DOSE ASSESSMENT.  
15          EXTERNAL EXPOSURE DATA ON THESE HISTORY TAPES  
16          HAVE RECENTLY BEEN FOUND TO CONTAIN ERRORS,  
17          INCORRECT ENTRIES AND TRANSPOSED FIELDS WERE  
18          DISCOVERED IN THE DATA BASE. CORRECTIONS TO  
19          THESE PROBLEMS ARE CURRENTLY UNDERWAY AT ORNL,  
20          K-25 AND Y-12 AND PADUCAH. PORTSMOUTH DOES NOT  
21          STORE THEIR HISTORICAL DATA ON THIS TAPE. IN  
22          VIEW OF THIS LETTER HERE, IN MY ESTIMATION, ANY  
23          DOSE RECONSTRUCTION THAT WOULD BE USED TO  
24          ASSESS THE AMOUNT OF RADIATION EXPOSURE FOR THE  
25          OAK RIDGE WORKERS WOULD NOT BE ADEQUATE FOR YOU

1 TO DECIDE WHO GOT A CERTAIN TYPE OF, QUOTE,  
2 RADIATION-INDUCED CANCER THAT WOULD BE COVERED  
3 UNDER THIS COMPENSATION BILL. THANK YOU.

4 MR. LAWSON: THANK YOU. BEFORE YOU  
5 LEAVE, ANYBODY WHO HAS INFORMATION THAT THEY  
6 HAVE REFERRED TO, OR DOCUMENTS THAT THEY HAVE,  
7 IF THEY COULD, TONIGHT IF POSSIBLE, BUT AS SOON  
8 AS POSSIBLE, PROVIDE US WITH A COPY OF THAT AND  
9 THAT WILL MAKE THE RECORD THAT MUCH MORE  
10 COMPLETE AND SUPPLEMENT WHAT THE STENOGRAPHER  
11 IS ABLE TO TAKE. ANY COMMENTS ON THAT?

12 MR. SUNDIN: JUST A BRIEF COMMENT. I  
13 UNDERSTAND THE ISSUE THAT WAS RAISED AND THAT  
14 IS A CONCERN ABOUT THE QUALITY, COMPLETENESS,  
15 ACCURACY OF DOE RECORDS, BUT I WOULD POINT OUT  
16 THAT FROM THE STANDPOINT OF WHAT WE DO WITH THE  
17 INFORMATION IT IS A STARTING POINT AND WE HAVE  
18 TO START SOMEWHERE. AND THE RECORDS SYSTEMS  
19 HAVE CHANGED AND THEY VARY FROM SITE TO SITE.  
20 BUT OUR JOB IS NOT REALLY A RESEARCH EFFORT SO  
21 MUCH AS IT IS AN APPROXIMATION. WE ALSO  
22 INVOLVE THE CLAIMANT, WE WILL INTERVIEW  
23 COWORKERS, OUR DOSE RECONSTRUCTIONISTS NEED TO  
24 GET A PICTURE OF WHAT THE ENVIRONMENT WAS LIKE.  
25 WE ALSO ARE AWARE OF DETECTION LIMITS FOR OLDER



1 I WORKED AT K-25 A TOTAL OF TWENTY-SEVEN AND A  
2 HALF ACTIVE YEARS. A TOTAL OF THIRTY-FOUR  
3 YEARS WITH RETIREMENT. AND I HAD TO COME OUT  
4 BECAUSE I WAS ILL WITH KIDNEY DISEASE. I HAD  
5 GOTTEN EXPOSURE TO HEAVY METALS AND LOST BOTH  
6 MY KIDNEYS WHILE EMPLOYED AT K-25.  
7 FORTUNATELY, MY SON AND DAUGHTER, THEY MATCHED  
8 AND I RECEIVED A KIDNEY FROM MY SON. AND I WAS  
9 EXPOSED TO URANIUM, HEAVY METALS AND I WORKED  
10 IN THE PROCESS BUILDINGS AND OTHER BUILDINGS  
11 AND A LOT OF TIME WE DID SAMPLING AND I WORKED  
12 ALL OVER AND WE DID SAMPLING IN 1423 AND EVERY  
13 TIME YOU WOULD DO SAMPLING, EVEN IF YOU WAS  
14 CAREFUL AS YOU COULD BE, YOU WOULD ALWAYS GET  
15 THIS PUFF OF SMOKE, WHICH WAS CONTAMINATION.  
16 AND ALSO THAT AFTER WORKING THERE FOR A WHILE I  
17 WAS OVER IN K-33 BUILDING FOR A NUMBER OF  
18 YEARS. I WAS A CONTROL ROOM OPERATOR AND I WAS  
19 ALSO A BUILDING OPERATOR AND I WAS EXPOSED TO  
20 HEAVY METALS AND THEY KEPT ME OUT OF THE  
21 BUILDING FOR TWO WEEKS, BUT THE INTENTION WAS  
22 TO KEEP ME OUT LONGER. BUT THE WORK FORCE GOT  
23 LOW AND I COULD NOT EVEN GO OUT IN THE BUILDING  
24 TO GO BACK TO WHERE THEY KEPT THE ROOM WHERE  
25 YOU GO TO GET REFRESHMENTS. I HAD TO STAY UP

1           FRONT.  BUT THEN THE WORKLOAD BECAME HEAVY AND  
2           THEY CUT THE TIME DOWN TO TWO WEEKS AND I WAS  
3           RIGHT BACK OUT THERE IN THE BUILDING AGAIN.  
4           AND I WORKED THERE UNTIL BASICALLY UNTIL I  
5           RETIRED FROM OUT THERE.  BUT MY THING IS THAT,  
6           AND I UNDERSTAND THAT THE URANIUM WORKERS  
7           COVERED BY RADIATION EXPOSURE COMPENSATION ACT  
8           ARE COMPENSATED FOR A KIDNEY AND I DID LOSE  
9           BOTH KIDNEYS AND, LIKE I SAY, IF IT HAD NOT  
10          BEEN FOR MY CHILDREN, I STILL BELIEVE THAT I  
11          WOULD BE ON DIALYSIS TODAY.  IF A PERSON HASN'T  
12          EVER BEEN ON DIALYSIS OR HADN'T EVER HAD ANY  
13          KIND OF KIDNEY FAILURE, I'M GOING TO TELL YOU  
14          IT IS A DIFFERENT WORLD TO LIVE IN BECAUSE WHEN  
15          IT HAPPENED TO ME I ALWAYS THOUGHT I WAS THE  
16          STRONGEST PERSON AROUND, BUT WHEN IT HAPPENED  
17          TO ME IT WAS JUST LIKE SOMEBODY PICKED THE  
18          WORLD UP AND DROPPED IT ON TOP OF ME.  AND  
19          RIGHT NOW THERE HADN'T BEEN ANY COMPENSATION  
20          FOR IT BECAUSE IT HAD NOT BEEN IN THE ACT OF,  
21          I'M HOPING THAT IT WILL BE SIMPLE TO ADD  
22          CHRONIC RENAL DISEASE TO THE LIST OF COVERED  
23          DISEASES FOR THE LUMP SUM THAT HAS BEEN  
24          OFFERED.  ALSO TO DO OTHERWISE IS UNFAIR TO THE  
25          REST OF US BECAUSE WE ALL HAD A JOB TO DO DOWN

1           THERE.  AND I THINK, PERSONALLY I THINK THAT I  
2           DONE MY JOB WELL BECAUSE IF YOU DIDN'T YOU ARE  
3           NOT GOING TO STAY ON THE JOB FOR THIRTY  
4           SOMETHING YEARS IF YOU HAVEN'T DONE A GOOD JOB.  
5           AND I BELIEVE THAT THIS SHOULD BE ADDED TO THE  
6           LIST OF THE DISEASES THAT WE HAVE BECAUSE I  
7           KNOW THERE IS OTHER PEOPLE THAT HAS HAD KIDNEY  
8           FAILURE.  AS A MATTER OF FACT, I SEE ONE OF MY  
9           COWORKERS SITTING OVER THERE IN THE CORNER,  
10          JAMES HUGHES, THAT SINCE I HAVE BEEN GONE HAS  
11          LOST HIS KIDNEYS.  AND ALL WE ARE ASKING FOR IS  
12          THE GOVERNMENT OR CONGRESS CAN FIT IT IN THEIR  
13          PROGRAM TO TAKE CARE OF THIS FOR THE REST OF  
14          US.  I URGE CONGRESS TO ADD THIS TO COVER THE  
15          DISEASES THAT WE MIGHT INCUR DOWN THERE.  I  
16          DON'T HAVE ANY REGRETS OF WORKING THERE BECAUSE  
17          IT WAS A JOB THAT TOOK CARE OF MY FAMILY AND I  
18          WOULD JUST LIKE TO BE ABLE TO SAY, HEY, THEY  
19          THOUGHT ABOUT THE ONES THAT LOST KIDNEYS AS  
20          WELL AS THE OTHER DISEASES.  THANK YOU.

21                 MR. LAWSON: THANK YOU, SIR.  DON'T  
22                 FORGET TO HAND IN THAT, IF YOU WOULD PLEASE.  
23                 YES, SIR, PLEASE.

24                 SPEAKER: YES, SIR, I'M JERRY TUDOR AND  
25                 I WOULD LIKE TO THANK CONGRESSMAN WAMP'S OFFICE





1           WHATEVER WE GET FROM DOE, INCLUDING REPORTED  
2           RESULTS OF BELOW PROTECTION STANDARDS AND DOE  
3           DOES REPORT DATA THAT WAY.

4                   MS. COOK: LET ME TALK ABOUT MY RECORDS  
5           BECAUSE I HAVE RECORDS, I HAVE TWENTY-SEVEN  
6           YEARS OF RECORDS, JUST LIKE THE REST OF YOU. I  
7           HAVE ALL MY RECORDS, IT DOES NOT MATTER, I WAS  
8           NEVER IN THE POSITION, ALTHOUGH I DID KNOW A  
9           LOT OF PEOPLE, I WORKED LOTS OF HOT CELLS, BUT  
10          I WAS NEVER IN A POSITION WHERE THEY SAID YOU  
11          CAN'T GO IN THE FACILITY, MA'AM, BECAUSE YOU  
12          HIT YOUR LIMIT. NEVER. BUT I DO HAVE  
13          TWENTY-SEVEN YEARS OF RECORDS. IF I GET SICK,  
14          ALL TWENTY-SEVEN YEARS OF RECORDS, ALL OF  
15          THOSE, WILL GO IN THERE. AND ALSO RECORDS OF  
16          THE FACILITIES THAT I WAS IN AND WHAT ELSE WENT  
17          ON IN THOSE FACILITIES WOULD ALSO GO INTO WHAT  
18          THEY USE AND WHAT THEY UTILIZE. BECAUSE YOU  
19          DIDN'T HIT THE LIMIT DOES NOT MEAN IT DOES NOT  
20          GO INTO PART OF HOW THEY DO THE DOSE  
21          RECONSTRUCTION AND HOW THEY DETERMINE  
22          CAUSATION.

23                   MR. LAWSON: THANK YOU. THIS LADY OVER  
24          HERE PLEASE.

25                   SPEAKER: THANK YOU VERY MUCH. FIRST OF

1           ALL, FROM MY HEART I WANT TO TELL EVERYBODY  
2           HELLO. I SEE A LOT OF PEOPLE I KNOW. IF I  
3           WENT INTO MY PERSONAL CASE WE WOULD BE HERE ALL  
4           NIGHT. I HAVE LOST EVERYTHING TO MY HEALTH  
5           PROBLEMS. I WAS SICK AND WORKERS COMP? I'M  
6           SORRY. I HAD IT, I HAD IT BECAUSE I WAS SICK  
7           AND THEY SENT ME TO A DOCTOR AND THE DOCTOR  
8           HURT ME. SOCIAL SECURITY? I'M SORRY, NO, NOT  
9           GETTING IT. NOT GETTING IT. I DON'T KNOW WHAT  
10          IS MISSING FROM MY MEDICAL REPORTS. I'M WELL  
11          DOCUMENTED. I CERTIFIED MATERIAL. I KNOW HOW  
12          TO DOCUMENT IT. LET ME ASK YOU A QUESTION  
13          RIGHT NOW. WHEN I READ IN THE CDC, IS THIS TO  
14          YOU MR. SUNDIN?

15                 MR. SUNDIN: YES.

16                 SPEAKER: WHEN I READ ONLINE ABOUT ALL  
17          THIS STUFF IT WILL MAKE YOUR HEAD SPIN, BUT I  
18          JUST WANT TO READ YOU AN EXCERPT OF WHAT I  
19          FOUND TO BE KIND OF INTERESTING AND ASK YOU WHY  
20          ISN'T THIS BEING CONSIDERED, OR IS IT. IT  
21          SAYS, AND IT'S FROM THE ATSDR. THE MOST  
22          SENSITIVE MEASURE OF RADIATION EXPOSURE  
23          INVOLVES THE STUDY OF YOUR CHROMOSOMES. THIS  
24          IS A SPECIAL TEST FOR DOSES THAT ARE TOO LOW TO  
25          PRODUCE CLINICALLY OBSERVABLE SIGNS OR

1 SYMPTOMS. THE TEST MAY BE USEFUL FOR DOSES  
2 GREATER THAN ABOUT THREE TIMES THE MAXIMUM  
3 ANNUAL PERMISSIBLE DOSE FOR RADIATION WORKERS.  
4 CHANGES IN THE WHITE BLOOD CELL COUNT MAY BE  
5 SEEN IN PEOPLE WHOSE DOSES EXCEEDED ABOUT FIVE  
6 TIMES THE OCCUPATIONAL MAXIMUM PERMISSIBLE  
7 ANNUAL DOSE. RADIATION DOSES AT OR ABOVE THESE  
8 LEVELS CAN BE RELIABLY ESTIMATED USING THESE  
9 TWO SPECIAL TESTS. IS THAT BEING CONSIDERED?

10 MR. SUNDIN: YOU ARE GOING TO TAKE ME  
11 OUTSIDE MY AREA OF EXPERTISE FAIRLY QUICKLY.  
12 ATSDR IS ANOTHER CENTER AT CDC AND THEY STUDY  
13 PRIMARILY COMMUNITY HEALTH AS OPPOSED TO  
14 OCCUPATIONAL HEALTH.

15 SPEAKER: THIS IS ABOUT RADIATION  
16 WORKERS.

17 MR. SUNDIN: CORRECT. MY UNDERSTANDING  
18 IS THAT THERE ARE SOME EARLY INDICATORS OF  
19 CHROMOSOME DAMAGE LIKE THAT WHICH ARE USED  
20 PROBABLY IN OTHER SETTINGS, BUT WE REALLY DON'T  
21 HAVE THE LUXURY OF MODIFYING THE PROGRAM THAT  
22 WAS DESCRIBED IN THE ACT, WHICH BASICALLY TALKS  
23 ABOUT CANCER AS A DISEASE RATHER THAN EARLY  
24 INDICATIONS, WHICH MAY OR MAY NOT LEAD TO  
25 CANCER. IT IS NOT A PART OF WHAT WE --

1                   SPEAKER: IS IT OR IS IT NOT BEING  
2                   CONSIDERED AS PART? THE CDC SAYS THAT IS PART  
3                   OF A GOOD WAY TO KNOW RADIATION DOSAGE. WE ARE  
4                   LOOKING AT RECONSTRUCTING FIGURES. WE HAVE ALL  
5                   WORKED WITH FIGURES. WE KNOW FIGURES. WE  
6                   WORKED FIGURES FOR A LIVING, BUT WHAT ABOUT THE  
7                   CHROMOSOME STUDIES?

8                   MS. COOK: I ALSO HAVE RESPONSIBILITIES  
9                   WITH HEALTH STUDIES WITH DEPARTMENT OF ENERGY.  
10                  I'M VERY INTERESTED IN THAT ALSO. AS DAVID  
11                  SAID, THIS ACT SAYS YOU HAVE TO BE SICK.  
12                  HAVING SAID THAT, LET'S MOVE ON. WHAT I'M  
13                  INTERESTED IN IS FINDING THE BEST TECHNIQUES  
14                  POSSIBLE TO DEAL WITH ILLNESSES ASSOCIATED WITH  
15                  YOUR WORK, AND SO I WAS MAKING NOTES ABOUT THIS  
16                  BECAUSE I REALLY WANT TO GET A LOOK AT THIS. I  
17                  WILL ALSO TELL YOU THERE IS SNAKE OIL OUT THERE  
18                  TOO. WE ALL KNOW THAT AND WE'VE ALL BEEN TOLD  
19                  THINGS THAT ISN'T ACCURATE TOO. BUT LET ME  
20                  LOOK INTO THIS BECAUSE WHAT I WANT TO HAVE IS  
21                  THE BEST WAY POSSIBLE TO PROTECT OUR WORK FORCE  
22                  OF THE FUTURE, ALSO, TO BE ABLE TO LOOK AT HOW  
23                  DO WE LOOK AT INDICATORS, HOW DO WE KNOW WHEN  
24                  SOMETHING IS AFFECTING SOMEBODY. AND I DON'T  
25                  MEAN TO DIVERT, BUT THE OTHER PERSON THAT I

1           SAID GOODBYE TO IN THE LAST FEW WEEKS WAS MY  
2           FATHER WHO HAS WORKED IN THE AUTOMOBILE  
3           INDUSTRY AND HE HAS A DEGENERATIVE NERVE  
4           DISEASE, NEUROLOGICAL DISEASE, HIS MOTHER LIVED  
5           TO A HUNDRED AND TWO, HE'S SEVENTY-SIX AND HE'S  
6           GOT A COUPLE OF WEEKS LEFT PROBABLY HIMSELF.  
7           AND WE WANT TO KNOW, MY BROTHERS AND SISTERS  
8           AND I, WHY HE'S SICK, WE WANT TO KNOW IF IT'S  
9           FROM HEAVY METALS IN HIS WORK OR IF IT'S FROM  
10          ALL THE PESTICIDES AND FERTILIZERS WE USED AS  
11          KIDS BECAUSE IT TELLS HOW WE DEAL WITH OUR  
12          HEALTH. ALL OF THESE AREAS OF HEALTH STUDIES  
13          AND HOW YOUR BODY REACTS TO THINGS, TO OUTSIDE  
14          INFLUENCES, ARE VERY, VERY IMPORTANT TO ME TO  
15          PROTECT THE WORK FORCE I'M RESPONSIBLE FOR, BUT  
16          ALSO FOR ME TO DEAL WITH MY OWN HEALTH ISSUES.  
17          SO I'LL BE HAPPY TO LOOK AT THAT BECAUSE I DO  
18          HAVE SOME ABILITY TO INFLUENCE HOW THE  
19          DEPARTMENT OF ENERGY LOOKS AT RESEARCH AND HOW  
20          DO WE LOOK AT HEALTH ISSUES. I JUST TALKED TO  
21          THE MAN WHO IS HEAD OF THE OFFICE OF SCIENCE,  
22          DR. ORBACH, (PHOENETIC) ABOUT THIS ISSUE  
23          SPECIFICALLY. WHAT IS IT THAT I NEED FROM THEM  
24          IN MAKING SURE THE FUNDING THAT THE DEPARTMENT  
25          SPENDS IN LOOKING INTO WAYS TO DETECT EFFECT ON

1 PEOPLE ARE SPENT IN THE RIGHT WAY THAT GET THE  
2 BIGGEST BANG FOR YOUR TAX DOLLARS.

3 SPEAKER: ON 9/11 A LOT OF PEOPLE WENT  
4 TO WORK AND THEY DIED THAT DAY. THESE PEOPLE  
5 HAVE BEEN DYING FOR YEARS BY A SLOW TORTURE AND  
6 I CAN'T WORK. IS THERE ANY IMMEDIATE FUND OR  
7 ANY IMMEDIATE HELP AVAILABLE TO PEOPLE WHO,  
8 LIKE ME, COULDN'T EVEN BE HERE IF IT WEREN'T  
9 FOR THE CHARITY OF A FRIEND WHO BUYS MY  
10 MEDICINE EVERYDAY? IS THERE ANY HELP AT ALL  
11 BESIDES OUTSIDE OF OUR COMMUNITY?

12 MS. COOK: WE ARE BACK TO THIS  
13 LEGISLATION IS A VERY GOOD FIRST START. IT WAS  
14 VERY SPECIFIC.

15 SPEAKER: LET'S KEEP THAT ONE IN MIND.

16 MS. COOK: LET'S KEEP IT IN MIND AS A  
17 FIRST START.

18 MR. LAWSON: BEFORE WE GO ANY FURTHER,  
19 MS. COOK, YOU SAID THAT YOU WOULD LOOK INTO  
20 SOMETHING. I'M SURE YOU WILL. HOW WOULD THAT  
21 WORK? YOU WOULD FIND OUT SOMETHING AND GET  
22 BACK TO THE PUBLIC INFORMATION OFFICER?

23 MS. COOK: THE BEST WAY FOR ME,  
24 ESPECIALLY TO COMMUNICATE TO WORKERS LIKE YOU  
25 IS IN FACT THE RESOURCE CENTERS THAT ARE SET

1 UP. AND ONE OF THE THINGS I'VE LOOKED AT  
2 RECENTLY IS THERE ARE A LOT OF HEALTH STUDIES  
3 GOING ON IN THIS COUNTRY, IN JAPAN, IN RUSSIA,  
4 THERE'S A LOT OF STUFF OUT THERE AND I'M TRYING  
5 TO PULL THAT ALL TOGETHER TO FIND THE BEST WAY  
6 TO REALLY UTILIZE THE KIND OF INFORMATION THAT  
7 IS OUT THERE. AND ALL KINDS OF MEDICAL  
8 DIAGNOSTICS INFORMATION THAT IS OUT THERE. THE  
9 BEST WAY FOR ME TO COMMUNICATE TO YOU ALL AND A  
10 WAY THAT IS EASY TO GET TO IS IN FACT THE  
11 RESOURCE CENTER AND LET ME LOOK AT A WAY THAT  
12 WE CAN GET MORE INFORMATION TO THE RESOURCE  
13 CENTER ABOUT UP AND COMING TECHNOLOGIES AND  
14 WHAT THE POSSIBILITIES ARE FOR THOSE.

15 MR. LAWSON: THANK YOU VERY MUCH. THIS  
16 LADY OVER HERE.

17 SPEAKER: MY NAME IS DONZETTA HILL AND  
18 I'M NOT SURE IF I'M GOING TO GO FORWARD,  
19 BACKWARD OR SIDEWAYS, I'M GOING TO TAKE A  
20 LITTLE DIFFERENT ASPECT THAN PEOPLE THUS FAR  
21 HAVE. I WORKED FOR DOE AS A SUBCONTRACTOR. I  
22 WAS NOT LOCKHEED MARTIN AND I WORKED ON A SMALL  
23 SUB, NOT AS A PRIME. MY MEDICAL PROBLEMS HAVE  
24 MOUNTED OVER THE YEARS AND HAVE BEEN A  
25 NIGHTMARE. I WAS ONE OF THE FIFTY-TWO WORKERS



1           THAT DR. LOCKY BURDEN FREEMAN EVALUATED. I  
2           WORKED THROUGH THIS AS THE SOLE ENTITY OF THIS  
3           LITTLE SUBCONTRACTOR PERSON AND WAS LUCKY  
4           ENOUGH TO GET INCLUDED IN THAT STUDY BECAUSE I  
5           HAD A BIG MOUTH. I WORKED UNDER IT ALSO WHEN  
6           DR. MICHAELS, THE DIRECTOR, CAME DOWN THAT IF  
7           ANY OF THE DOCTORS FOUND ANY MEDICAL,  
8           OCCUPATIONAL, WORK-RELATED ILLNESSES THEY WOULD  
9           BE PAID ACCORDINGLY, NO BURDEN OF PROOF WAS TO  
10          BE PUT ON THE EMPLOYEE, THE SICK WORKER.  
11          IMAGINE MY SHOCK WHEN I COME DOWN THE PIKE AND  
12          I GET MY FINAL REPORT AND GUESS WHAT, BURDEN OF  
13          PROOF IS BEING PUT BACK ON YOUR LITTLE  
14          SUBCONTRACTOR AGAIN. NOT JUST ME AS A PERSON.  
15          I'M SPEAKING FOR THE ADMINISTRATIVE SUPPORT  
16          CONTRACTORS OUT THERE WHO DO NOT HAVE ACCESS TO  
17          MEDICAL MONITORING. THEY MAY OR MAY NOT HAVE A  
18          DOSIMETER, DEPENDING ON WHAT THE STATUS IS NOW.  
19          I DID BUT I HAD NO MEDICAL MONITORING  
20          WHATSOEVER, HAD NO KNOWLEDGE OF BEING EXPOSED  
21          TO ANYTHING. I'M NOW FACING MY FOURTH LUNG  
22          BIOPSY. I'M KNOCKING ON THE DOOR OF CHRONIC  
23          BERYLLIUM DISEASE. I MET TWO OF THE CRITERIA.  
24          THE COMPENSATION ACT WILL NOT HELP ME IN THE  
25          LEAST UNLESS A MIRACLE HAPPENS. AND TO SAY

1           THAT WOULD BE IF I COME UP WITH CHRONIC  
2           BERYLLIUM DISEASE. I MIGHT HAVE TO FIGHT THE  
3           BATTLE TO GET IN YOUR DOOR. BUT YOU HAVE  
4           ANOTHER AVENUE OF WORKERS THAT ARE BEING  
5           EXPOSED THAT THE COMPENSATION BILLS WILL NOT  
6           COVER. DOE IS NOT FOLLOWING THEIR OWN  
7           DIRECTIVE. I HAVE A LETTER BACK FROM DOE  
8           STATING THEY CANNOT MAKE THEIR SUBCONTRACTORS  
9           PAY THEIR WORKMANS COMP BECAUSE THEY DON'T PAY  
10          THEIR INSURANCE AS PART OF THEIR CONTRACT.

11                 MR. TURCIC: DO YOU HAVE BERYLLIUM  
12          SENSITIVITY?

13                 SPEAKER: I HAVE BERYLLIUM SENSITIVITY.  
14          I HAVE IT IN MY BLOOD, I HAVE FOUR ABNORMAL  
15          PULMONARY FUNCTION TESTINGS AND, LIKE I SAID,  
16          I'M GOING FOR MY FOURTH BIOPSY.

17                 MR. TURCIC: UNDER THE DEPARTMENT OF  
18          LABOR PROGRAM, IF YOU HAVE BERYLLIUM  
19          SENSITIVITY, THEN YOU ARE ENTITLED TO THE  
20          MONITORING. IF YOU FILE A CLAIM FOR BERYLLIUM  
21          SENSITIVITY THEN THE MEDICAL BENEFITS FOR  
22          MONITORING TO SEE IF YOUR BERYLLIUM SENSITIVITY  
23          DOES TURN INTO CHRONIC BERYLLIUM DISEASE WILL  
24          BE COVERED BY THE DEPARTMENT OF LABOR.

25                 SPEAKER: UP UNTIL PRESENT TIME MY

1 MEDICAL INSURANCE HAS BEEN COVERING THAT. THIS  
2 IS SOMETHING THAT HAS BEEN ENLIGHTENED TONIGHT.

3 MR. TURCIC: EVEN IF YOU FILE A CLAIM  
4 AND ARE AWARDED A CLAIM FOR BERYLLIUM  
5 SENSITIVITY, THE DEPARTMENT OF LABOR WOULD BE  
6 FIRST PAYER AND PAY FOR THOSE MEDICALS.

7 SPEAKER: WOULD YOU COVER THE SMALL  
8 CONTRACTORS? IS THERE A RESTRICTION ON WHO YOU  
9 WILL PAY FOR?

10 MR. TURCIC: NO, IF THEY ARE A COVERED  
11 EMPLOYEE, IF THEY WORKED FOR A CONTRACTOR OR A  
12 SUBCONTRACTOR.

13 SPEAKER: TO DOE?

14 MR. TURCIC: YES. SO ALL THOSE FOLKS  
15 ARE COVERED AND IF THEY HAVE BERYLLIUM  
16 SENSITIVITY THEN THE DEPARTMENT OF LABOR WOULD  
17 PAY FOR MONITORING.

18 SPEAKER: WOULD THIS ALSO APPLY IF THEY  
19 COME UP WITH THE HEAVY METAL EXPOSURES AND  
20 THERE IS A COHORT PUT IN?

21 MR. TURCIC: NO, IT ONLY COVERS  
22 BERYLLIUM SENSITIVITY.

23 SPEAKER: AT THIS POINT. THIS IS  
24 SOMETHING THAT THE LAWMAKERS NEED TO REVISE ON  
25 THE BILL BECAUSE THERE IS A LOT OF ILLNESSES

1 CAUSED BY HEAVY METAL EXPOSURES.

2 MR. LAWSON: THANK YOU VERY MUCH, MA'AM.

3 YES, PLEASE.

4 SPEAKER: MY NAME IS R.L. AYERS. I CAME  
5 HERE OCTOBER 1943. I WORKED DOWN AT THE K-25 U  
6 BUILDING, BUT I'M NOT HERE THIS EVENING ON  
7 ACCOUNT OF MYSELF. IT IS MY HUSBAND WHO IS IN  
8 A NURSING HOME AND DYING WITH SILICOSIS OF THE  
9 LUNGS. I HAVE GOTTEN EVERY RECORD AND FILLED  
10 IT OUT, SENT IT DOWN TO JACKSONVILLE, FLORIDA,  
11 SO UNTIL I CAME UP WITH HE WAS DIAGNOSED BEFORE  
12 HE LEFT K-25 WITH SILICOSIS OF THE LUNGS  
13 EVERYTHING SEEMED TO BE GOING ALL RIGHT. BUT  
14 THEN WHEN I CAME UP WITH THOSE RECORDS AND SENT  
15 THOSE DOWN THERE MS. YVETTE WATERS WROTE ME  
16 KIND OF AN UGLY LETTER AND SAID THAT I SAID  
17 THAT MY HUSBAND HAD, WHAT IS IT YOU GET FROM  
18 SMOKING? EMPHYSEMA. SHE SAID NOW YOU CLAIM  
19 THAT HE HAVE SILICOSIS. I DID NOT CLAIM IT.  
20 THE DOCTOR DIAGNOSED IT. SO THEN SHE SAID THAT  
21 UNLESS HE WORKED IN ALASKA OR NEVADA IS THE  
22 ONLY WAY THEY WOULD PAY FOR SILICOSIS OF THE  
23 LUNGS. I SAID, HE DID NOT HAVE IT WHEN HE WENT  
24 TO K-25 BECAUSE IF HE HAD HAD SILICOSIS THEY  
25 WOULD NOT HAVE HIRED HIM THERE. HE DIDN'T HAVE

1 ANYTHING WHEN HE WENT THERE BUT HE CAME OUT  
2 WITH EVERYTHING. SO WILL THEY PAY FOR  
3 SILICOSIS HERE IN TENNESSEE?

4 MR. TURCIC: SILICOSIS IS ONLY COVERED  
5 FOR PEOPLE WHO MINED THE TUNNELS FOR THE  
6 UNDERGROUND TESTS EITHER AT THE AMCHITKA TEST  
7 SITE IN ALASKA OR THE NEVADA TEST SITE. THAT  
8 IS THE ONLY PLACE, THE ONLY FACILITIES, THAT  
9 SILICOSIS ARE COVERED UNDER THE DEPARTMENT OF  
10 LABOR PROGRAM.

11 MS. COOK: DOE, AGAIN WHAT IS WITHIN THE  
12 BILL THAT WE ARE, I DON'T WANT TO SAY BOXED IN,  
13 BUT THIS IS THE FRAMEWORK WE ARE WORKING IN AND  
14 THAT IS WE ASSIST WITH STATE WORKERS COMP AND  
15 THAT WOULD ROLL INTO THAT. STATE WORKERS COMP,  
16 AS YOU ALL KNOW, STATE WORKERS COMP DOES TWO  
17 THINGS. IT PAYS FOR LOST WAGES AND IT PAYS FOR  
18 UNPAID MEDICAL BILLS. THAT IS WHAT STATE  
19 WORKERS COMP DOES. THAT'S WHAT IS IN THE  
20 LEGISLATION, THAT IS WHAT IS IN THE BILL THAT'S  
21 PASSED.

22 SPEAKER: WHY DOES IT KEEP SAYING THAT  
23 IT IS COVERED IN TENNESSEE?

24 MS. COOK: FOR LOST WAGES AND UNPAID  
25 MEDICAL BILLS, YES.

1                   SPEAKER: I'M NOT GETTING ANYTHING.  
2                   NOTHING.

3                   MS. COOK: WE HAVE TO GET THE FINAL RULE  
4                   OUT WHICH WENT THROUGH RULE-MAKING SO THAT HAS  
5                   NOT HAPPENED YET. YOU CAN APPLY FOR STATE  
6                   WORKERS COMP AT ANYTIME. WHAT WE ARE HOPING TO  
7                   DO IS FACILITATE THAT AND FOR THOSE CONTRACTORS  
8                   THAT WE CAN REACH OUT AND AFFECT WE WILL DO  
9                   THAT. BUT IT IS WITHIN THE STATE WORKERS COMP  
10                  FRAMEWORK THAT THIS LEGISLATION CURRENTLY  
11                  APPLIES.

12                 MR. LAWSON: IS SHE GOING TO HAVE TO  
13                 REAPPLY OR IS SHE AUTOMATICALLY IN THE SYSTEM  
14                 AND WHEN THE LEGISLATION GETS CHANGED SOMEBODY  
15                 IS GOING TO COME TO HER? WHAT HAPPENS NEXT?

16                 MS. COOK: WHAT HAPPENS NEXT IS WE ARE  
17                 TRYING TO SHARE RECORDS AS MUCH AS POSSIBLE  
18                 HERE. THERE ARE THINGS THAT COME TO THE DOL  
19                 PART, FOR INSTANCE, THE SILICOSIS ISSUE THAT IS  
20                 NOT IN THESE SPECIAL COHORT GROUPS AND THEN WE  
21                 ARE TRYING TO GET THOSE RECORDS MOVED OVER TO  
22                 GET THEM INTO THE DOE SUBTITLE D PORTION. SO  
23                 WE'RE TRYING TO FACILITATE THAT HAPPENING SO WE  
24                 WON'T, IN FACT, HAVE TO HAVE YOU GO BACK AND  
25                 REAPPLY FOR EVERYTHING.



1 MS. COOK: LIKE I SAID, WE ARE TRYING TO  
2 CONSOLIDATE ALL THE INFORMATION. I CAN'T  
3 REGENERATE PAST RECORDS. YOU KNOW THAT AND I  
4 KNOW THAT. I CAN DO THINGS ABOUT THE FUTURE, I  
5 CAN HELP AND TRY TO FACILITATE EVERYTHING WE'VE  
6 GOT. WE'RE TRYING TO WORK FROM AFFIDAVITS ALSO  
7 AS MUCH AS POSSIBLE. AND I'LL GUARANTEE YOU  
8 THAT IT IS NOT MY INTENTION AT ANY POINT TO  
9 LOSE ANYBODY IN THIS SYSTEM. I'M SERIOUS ABOUT  
10 THE FACT THAT THESE ARE OUR WORKERS, THESE ARE  
11 MY WORKERS, THESE ARE PEOPLE THAT I CARE ABOUT.  
12 AND I CAN ONLY TELL YOU THAT. MOST OF YOU  
13 DON'T KNOW ME. SOME OF YOU DO, BUT WE WILL  
14 CONTINUE TO TRY TO WORK IN THESE DIFFICULT  
15 CASES WHERE TREATMENT RECORDS DO NOT EXIST. I  
16 WAS IN MEXICO A COUPLE OF WEEKS AGO AND THEY  
17 WERE TRYING TO GET THE HOSPITAL TO COME UP WITH  
18 RECORDS TOO, AND WE ARE GOING TO TRY TO REACH  
19 OUT TO THE HOSPITALS TO MAKE SURE THAT THEY  
20 PULL OUT EVERYTHING THAT THEY'VE GOT AROUND  
21 ALSO TO GET HEALTH RECORDS OUT AND HELP  
22 FACILITATE THIS.

23 MR. LAWSON: JUST ONE COMMENT BEFORE I  
24 GO ON TO THE NEXT PERSON. IF ANYONE HAS A  
25 PARTICULAR ISSUE THAT YOU NEED TO FOLLOW UP,



1           MAKE SURE THAT BEFORE YOU LEAVE TONIGHT YOU  
2           HAVE LEFT YOUR NAME WITH SOMEBODY SO THAT  
3           SOMEBODY CAN FOLLOW UP ON A PARTICULAR  
4           SITUATION OR YOU CAN GET SOME HELP IN  
5           JACKSONVILLE, OR WHATEVER. I DON'T WANT PEOPLE  
6           TO COME AND SAY THEY HAVE A PROBLEM AND GO HOME  
7           AND NOT KNOW WHAT THEIR NEXT STEP IS.

8                       SPEAKER: I HATE TO SAY WHAT I WANT TO  
9           SAY, BUT JACKSONVILLE DON'T CARE A THING IN THE  
10          WORLD. NOTHING.

11       (APPLAUSE)

12                      SPEAKER: WHAT BOTHERS ME IS THAT YOU  
13          CAN START TO WORK AT, I'LL JUST SAY K-25  
14          BECAUSE THAT IS WHERE ALL MY PROBLEMS STARTED,  
15          K-25, THAT MY HUSBAND DID NOT HAVE SILICOSIS  
16          BUT THEN HE GOT IT. AND NOW THEY SAY WE CAN'T  
17          PAY FOR IT BECAUSE YOU WERE NOT OVER YONDER.

18                      MR. LAWSON: THANK YOU VERY MUCH FOR  
19          COMING, I APPRECIATE THAT. YES, SIR.

20                      SPEAKER: MY NAME IS HARRY WILLIAMS AND  
21          THIS IS DIRECTED TOWARD THE DOE PORTION OF  
22          SUBTITLE D. I WOULD LIKE TO SAY HERE THE FOLKS  
23          IN THE COALITION FOR HEALTHY ENVIRONMENT, WE  
24          STARTED OUT WITH THIS LEGISLATION AND WE WENT  
25          THROUGH CONGRESS WITH IT. WE NEVER WERE

1 SATISFIED WITH SUBPART D AND THE GENTLEMAN  
2 TALKING ABOUT RENAL DISEASE, THAT WAS  
3 ORIGINALLY INCLUDED IN THE ACT AND THEN IT WAS  
4 TAKEN OUT AND NOW IN AN APRIL AMENDMENT UNDER  
5 SUBTITLE B RENAL DISEASE IS BACK UP BEFORE THE  
6 CONGRESS IN THE LEGISLATIVE PROCESS TO COME  
7 BACK ONLINE. AND I HOPE THAT HAPPENS. DOE, IF  
8 YOU ARE FOR YOUR WORKERS, MS. COOK, WHY ARE YOU  
9 SPONSORING RULES AND REGULATIONS THAT ARE IN  
10 DIRECT CONFLICT WITH YOUR WORKERS? FOR  
11 INSTANCE, A THREE DOCTOR PANEL HAS TO HAVE ALL  
12 THREE DOCTORS AGREE, THAT IS A DOE PROPOSAL.  
13 THE DRAFT RULES AND REGULATIONS ON MAY 8TH  
14 WHERE YOU ALL ARE ALLOWING THE CONTRACTOR A  
15 METHOD OF CONTESTING THESE CLAIMS WHEN THE  
16 COPIA (PHOENETIC) ITSELF IN THE ORIGINAL ACT  
17 SAID THAT THAT WOULD NOT BE APPROPRIATE. AS A  
18 MATTER OF FACT, THAT NOT ONLY VIOLATES THE  
19 SPIRIT OF THE ACT, IT VIOLATES THE ACT ITSELF.  
20 AND I WONDER WHAT DOE'S ROLE IS, IF YOU ARE  
21 TRYING TO KEEP EMPOWERING PEOPLE TO THROW UP  
22 THESE ROAD BLOCKS IN FRONT OF THESE WORKERS.  
23 THESE PEOPLE ARE SICK, I'M SICK. I CAN'T  
24 CONTINUE ON WITH A LARGE BUREAUCRATIC FIGHT  
25 TRYING TO COME OVER EVERY STUMBLING BLOCK

1           GOING. IT IS NOT APPROPRIATE FOR DOE IN ANY  
2           WAY, THEY ARE OUR NEMESIS, AND I SAY THAT WITH  
3           A LOT OF AFFECTION. I DON'T WANT TO SOUND  
4           CRUEL, BUT DOE IS MY BIGGEST NEMESIS IN LIFE.  
5           I GIVE MY HEALTH TO THAT PLANT. I DON'T NEED  
6           TO HEAR ANYTHING ELSE FROM ANYBODY ELSE BECAUSE  
7           SECRETARY RICHARDSON SAID IT VERY WELL. WE  
8           PLACED YOU IN HARM'S WAY, WE PUT YOU IN UNSAFE  
9           CONDITIONS. AND I EXPECT DOE TO COME ALONG AND  
10          SUPPORT US IN AMENDMENTS TO THIS LEGISLATION  
11          AND TRY TO HELP US GET SUBTITLE D AND THE OTHER  
12          WEAKNESSES CORRECTED. BUT HOW ARE YOU GOING TO  
13          DO THAT IF YOU KEEP COMING UP, I WOULD LIKE FOR  
14          SOMEBODY TO EXPLAIN TO ME, LET'S SEE WHAT I'VE  
15          GOT RIGHT HERE, (READING) WHAT IT IS SAYING  
16          HERE IS THAT YOU ALL WILL PAY THE CONTRACTOR  
17          FOR CERTAIN COSTS ASSOCIATED WITH FIGHTING A  
18          CLAIM. AND I HAVE A WHOLE LIST OF OTHER THINGS  
19          HERE THAT I CAN'T SEE THEM WELL ENOUGH TO GET  
20          THEM ALL RIGHT NOW. BUT WHAT IS DOE'S  
21          RESPONSE?

22                 MS. COOK: FIRST OFF, LET ME MAKE IT  
23          EXTREMELY CLEAR HERE. I'M A STRONG BELIEVER IN  
24          FREEDOM OF THE PRESS, SO ARE ALL OF YOU,  
25          DOESN'T MEAN IT IS TRUE. THERE IS NO SUCH

1           THING AS A MAY 8TH DRAFT OF THE RULE.  THERE  
2           WAS ALL KINDS OF VERSIONS OF THE RULE SINCE  
3           COMMENTS WERE MADE LAST FALL.  WHATEVER DRAFT  
4           GOT OUT IN MAY IS NOT THE DRAFT THAT IS THERE  
5           NOW.  IT'S NOT WHAT WE'VE GOT IN THE FINAL  
6           RULE.  WE DON'T INTEND TO COMPENSATE ANY  
7           CONTRACTOR TO FIGHT A CLAIM.  I HAVE NO  
8           INTENTION OF DOING THAT.  NOW IT DOES NOT SAY  
9           THAT IN THE RULE AND THAT IS NOT WHAT IS GOING  
10          TO HAPPEN.

11                 SPEAKER: IT SAYS IT IN MY INFORMATION  
12          HERE.  I DON'T KNOW WHAT YOU HAVE RIGHT AT THIS  
13          MINUTE.  BUT THAT IS GOOD NEWS, IF IN FACT THAT  
14          IS THE WAY IT IS.

15                 MS. COOK: GOOD, I'M GLAD YOU SEE THAT  
16          AS GOOD NEWS, SO DO I BECAUSE I DON'T INTEND TO  
17          DO THAT.  THERE'S STILL A LOT OF COMPLICATIONS.  
18          I HAVE SPOKEN TO THE DEPUTY SECRETARY BOTH AT  
19          HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF  
20          LABOR AND WE WANT TO WORK VERY CLOSELY  
21          TOGETHER, AS THREE DIFFERENT AGENCIES, TO  
22          IDENTIFY AND WORK WITH PEOPLE ON THE HILL ON  
23          WHAT THINGS MIGHT WORK BETTER, WE ARE WITHIN  
24          OUR ABILITY AS AGENCIES TO DO AND WHICH THINGS  
25          MIGHT REQUIRE CHANGES IN LEGISLATION.  YOU ALL

1 HAVE TO CONTINUE TO BE A PART OF THAT PROCESS.  
2 YOU'VE GOT TO IDENTIFY THOSE THINGS. REMEMBER  
3 WE ARE ALL TAXPAYERS TOO, WE WANT TO KNOW WHAT  
4 WE WANT TO SPEND OUR MONEY ON AS TAXPAYERS.  
5 BUT THERE ARE SIGNIFICANT THINGS THAT ARE  
6 LISTED IN SOME OF THE LATEST PRESS THAT SAY DOE  
7 IS DOING THIS OR NOT THAT ARE JUST ABSOLUTELY  
8 INACCURATE. AND ONE OF THEM IS COMPENSATING  
9 COMPANIES TO FIGHT THESE CLAIMS. THAT IS NOT  
10 GOING TO HAPPEN.

11 SPEAKER: I'LL TAKE YOUR WORD ON THAT,  
12 BUT AS SOON AS I GET UP TOMORROW TO MAKE  
13 CERTAIN THAT IS THE WAY IT IS.

14 MS. COOK: IF IT WOULD BE OUT TOMORROW,  
15 LET ME TELL YOU, I'D BE A HAPPY CAMPER.

16 SPEAKER: YOU WILL CERTAINLY HEAR FROM  
17 ME.

18 MS. COOK: I EXPECT TO.

19 SPEAKER: ANSWER ME ON THE DOCTORS  
20 PANEL. WHY YOU WANT AN ABSOLUTE VOTE ON IT  
21 RATHER THAN A MAJORITY. WHAT ROLE DOES DOE  
22 HAVE IN THAT?

23 MS. COOK: THE LIST OF DOCTORS FIRST OFF  
24 ON THOSE PANELS, IN FACT, WAS NOT A LIST THAT  
25 DOE COULD GENERATE. THEY HAD TO BE PROVIDED TO

1           US BY NIOSH AND THEY DID.  THEY GAVE US A LIST  
2           OF DOCTORS AND WE ARE WORKING THROUGH THE  
3           PROCEDURES RIGHT NOW.  I WILL TELL YOU I DON'T  
4           KNOW HOW, I CAME INTO THIS JOB IN FEBRUARY AND  
5           I'M NOT SURE HOW WE GOT TO THE UNANIMOUS  
6           DECISION, BUT I'M ACTUALLY A LITTLE SURPRISED  
7           THAT I DIDN'T ASK THAT QUESTION MYSELF.  AND  
8           I'LL FIND THAT OUT, HOW IT GOT TO THE POINT OF  
9           BEING A UNANIMOUS VOTE OF THREE DOCTORS ON A  
10          DOC PANEL.  BUT I'LL FIND OUT.

11                   SPEAKER:  ONCE AGAIN, CONGRESSMAN ED  
12          WHITFIELD HAS SOME INFORMATION OUT ABOUT WHAT I  
13          WAS TALKING ABOUT HERE, AND I TAKE IT HE HAS  
14          THE WRONG INFORMATION TOO.

15                   MS. COOK:  I UNDERSTAND THAT MANY OF THE  
16          CONGRESSMEN HAS A VERSION THAT CAME OUT  
17          SOMEWHERE AROUND MAY 8TH THAT FLOATED AROUND.  
18          THAT IS NOT THE VERSION OF THE RULE THAT WE ARE  
19          GOING WITH.

20                   SPEAKER:  FROM MY PERSONAL POSITION  
21          HERE, I DON'T THINK DOE NEEDS TO BE INVOLVED IN  
22          THIS.  I THINK THEY NEED TO FURNISH DATA AND  
23          LET DOL, NIOSH, WHOEVER, BUT DOE DOES NOT NEED  
24          TO BE INVOLVED IN THIS PROGRAM AT AN  
25          ADMINISTRATIVE LEVEL AND THE PROBLEMS WITH THIS

1           PROGRAM ARE LEGISLATIVE FIXES, NOT  
2           ADMINISTRATIVE FIXES, BECAUSE IF THIS MAY 8TH  
3           DRAFT IS ANY SIGN, IF IT IS IN FACT TRUE, AND  
4           ONCE AGAIN I ACCEPT YOUR WORD FOR RIGHT NOW  
5           THAT IT'S NOT, THEN PROMULGATION OF RULES AND  
6           REGULATIONS BY DOE IS NOT GOING TO BE THE WAY  
7           TO FIX THIS RULE.

8                   MR. LAWSON: THANK YOU, SIR, AND IF YOU  
9           HAVE ANYTHING YOU'D LIKE TO SUBMIT, PLEASE FEEL  
10          FREE TO DO SO.   THIS LADY OVER HERE PLEASE.

11                   SPEAKER: MY NAME IS JANET MICHELLE, I'M  
12          A FIRST GENERATION OAK RIDGER.   BOTH OF MY  
13          PARENTS WORKED AT K-25 AND THEY MET WHILE THEY  
14          WERE WORKING THERE AND I WAS CONCEIVED WHILE  
15          THEY WERE WORKING THERE.

16                   MS. COOK: I HOPE NOT AT WORK.   I  
17          COULDN'T PASS THAT UP.

18                   SPEAKER: I KNOW I WALKED RIGHT INTO  
19          THAT.   I WOULD LIKE TO SAY ONE THING TO FOLLOW  
20          UP ON WHAT HARRY SAID; AND THAT IS IF IT IS  
21          TRUE IN THE RULE THAT THOSE PHYSICIANS PANELS  
22          HAVE TO COME TO A UNANIMOUS DECISION, I HOPE  
23          THAT DOE WILL DO SOMETHING TO CHANGE THAT  
24          BECAUSE THAT RULE IS IMPLEMENTED BECAUSE THAT  
25          IS SO UNFAIR.   THE SUPREME COURT DOES NOT HAVE

1           TO BE UNANIMOUS, THE COURT OF APPEALS DON'T  
2           HAVE TO BE UNANIMOUS. THIS IS RIDICULOUS.

3   (APPLAUSE)

4           MS. COOK: UNDERSTOOD.

5           SPEAKER: JUST A COUPLE MORE WORDS ABOUT  
6           THE DOSE RECONSTRUCTION. THERE SEEMS TO BE A  
7           CONFLICT OF INTEREST WITH THE CONTRACTORS THAT  
8           HAVE BEEN BIDDING ON THE NIOSH CONTRACTS TO  
9           HELP THEM BECAUSE MANY OF THOSE PEOPLE HAVE  
10          BEEN PAID EXPERT WITNESSES IN WORKERS  
11          COMPENSATION CLAIMS. HOW CAN WE EXPECT THEM TO  
12          BE FAIR? I THINK THAT IS A VERY FUNDAMENTAL  
13          PROBLEM. WE ALSO KNOW THAT A HEALTH PHYSICIST  
14          FROM PORTSMOUTH TESTIFIED AT A GOVERNMENTAL  
15          AFFAIRS SENATE COMMITTEE HEARING IN MARCH OF  
16          2000, HE WAS TOLD BY HIS SUPERIORS TO CHANGE  
17          RECORDS IN THE DOSIMETRY PROGRAM AT PORTSMOUTH.  
18          AND WE KNOW THIS KIND OF THING HAPPENED AT ALL  
19          THE SITES. SO I HOPE THAT YOUR PROCEDURES THAT  
20          YOU ARE PUTTING IN PLACE TO PUT THINGS IN FAVOR  
21          OF THE WORKERS WILL BE TRUE BECAUSE THERE IS  
22          JUST TOO MANY PROBLEMS WITH THE DOSE  
23          RECONSTRUCTION PROCESS. IN ADDITION, I WAS, I  
24          HAD CYANIDE POISONING WHEN I WORKED AT THE  
25          SITE. I WAS TOLD BY INDUSTRIAL HYGIENE THAT I



1           WOULD BE WEARING A HALTER MONITOR AND THAT MY  
2           WORK PLACE WOULD BE MONITORED.  NONE OF THOSE  
3           THINGS EVER HAPPENED.  I LEFT THE SITE, I DID  
4           NOT GET WELL, I CONTINUED TO RECEIVE TESTING,  
5           NOT BY DOCTORS IN THIS AREA, I HAD TO GO TO  
6           NASHVILLE TO GET THAT TESTING DONE, AND FOUND  
7           OUT THAT I HAD NICKLE AND MERCURY POISONING.  
8           AND I FOUND OUT LATER THAT I WORKED IN A  
9           BUILDING THAT HAD A HIGH RISK OF EXPOSURE FOR  
10          NICKLE AND MERCURY.  THERE WERE NO RECORDS AT  
11          ALL KEPT ON THOSE KINDS OF EXPOSURES.  WE HAVE  
12          NOTHING TO GO BY ON THAT.  HOWEVER, I DO HAVE  
13          LAB REPORTS THAT SHOW NICKEL AND MERCURY COMING  
14          OUT OF MY BODY IN MY URINE.  AGAIN, WE DON'T  
15          HAVE THE DOCTORS HERE TO BACK US UP AND THERE  
16          ARE NO RECORDS TO BACK US UP FROM THE WORK  
17          PLACE ON TOXIC EXPOSURES.  I HAVE MANY HEALTH  
18          PROBLEMS ASSOCIATED WITH THESE HEAVY METAL  
19          EXPOSURES.  HARRY COVERED A LOT OF THE STUFF  
20          ABOUT THE CONTRACTORS.  I JUST WANTED TO ADD  
21          THAT I THINK THAT THE CLAIMANTS SHOULD BE  
22          ASSISTED AND REIMBURSED FOR EXPENSES INCURRED  
23          IN TRYING TO DEVELOP THEIR MEDICAL RECORDS FOR  
24          THEIR TESTING AND DIAGNOSIS.  I KNOW PEOPLE WHO  
25          WERE SO SICK AT WORK THEY STRUGGLED TO HANG ON

1           COMING TO WORK EVERYDAY.  THEY FINALLY WENT TO  
2           PART TIME, WHICH MEANT THEY LOST THEIR  
3           BENEFITS.  EVENTUALLY THEY GOT TOO SICK TO COME  
4           TO WORK AT ALL.  SO NOW THEY HAVE NOTHING.  AND  
5           THEY HAVE NO WAY TO PUT A PICTURE TOGETHER OF  
6           WHAT HAS HAPPENED TO THEM.  THESE PEOPLE NEED  
7           HELP AND EVEN THOSE OF US THAT HAVE THE  
8           INSURANCE; IT IS HORRIBLE BECAUSE WE CAN'T GET  
9           THE DOCTORS AROUND HERE TO TEST US FOR THE  
10          THINGS THAT NEED TO BE TESTED FOR.  WE HAVE TO  
11          GO OUT OF STATE.

12        (APPLAUSE)

13                       SPEAKER: I WOULD LIKE TO ADD THAT THE  
14           LIST OF RADIOGENIC CANCERS NEEDS TO BE EXPANDED  
15           TO AT LEAST BE AS LONG AS THE CANCERS THAT THE  
16           MARSHALL ISLANDERS WERE REIMBURSED FOR.  THEY  
17           WERE EXPOSED TO ABOVE GROUND TESTING AND THE  
18           ELEMENTS THAT THEY WERE EXPOSED, WHETHER  
19           TRANSURANICS OR FISSION PRODUCTS, WERE THE SAME  
20           ELEMENTS THAT WE WERE EXPOSED TO HERE IN OAK  
21           RIDGE.  MAYBE NOT IN THE SAME QUANTITIES, BUT  
22           THEY WERE THERE AND MANY OF THEM DON'T TAKE  
23           VERY MUCH TO HAVE AN EFFECT ON THE BODY.  SO BE  
24           THAT AS A MESSAGE TO BOTH THE ADMINISTRATION  
25           REPRESENTATIVES AND ALSO THE CONGRESSIONAL

1 REPRESENTATIVES THAT ARE HERE, THAT IS  
2 SOMETHING THAT NEEDS TO BE INCLUDED IN ANY  
3 REVISIONS OF THIS LAW. I JUST WANT TO ALSO SAY  
4 THAT THE COMPENSATION AMOUNT OF A HUNDRED AND  
5 FIFTY THOUSAND DOLLARS IS A COMPLETE AND TOTAL  
6 INSULT. WHEN PEOPLE I KNOW SPENT OVER A  
7 HUNDRED THOUSAND DOLLARS A YEAR, THEIR  
8 INSURANCE PAYS FOR PART OF IT AND THEY PAY FOR  
9 PART OF IT A YEAR ON THEIR MEDICAL EXPENSES.  
10 WHEN WE HAVE PEOPLE THAT WERE INJURED BY THE  
11 TERRORISTS RECEIVING AN AVERAGE OF TWO POINT  
12 SEVEN MILLION, HOW DOES A HUNDRED AND FIFTY  
13 THOUSAND STACK UP TO THAT? IT IS AN INSULT. I  
14 ALSO WANT TO EMPHASIZE TO THE CONGRESSIONAL  
15 REPRESENTATIVES THAT OFTEN IN THE PAST WHEN YOU  
16 HAVE LANDMARK LEGISLATION IT IS NOT PERFECT THE  
17 FIRST TIME. THE ENVIRONMENTAL LAWS THAT WERE  
18 PASSED IN THE SEVENTIES; CORPORATIONS FOUND  
19 WAYS AROUND THEM. CONGRESS HAD TO COME BACK  
20 AND BE VERY PRESCRIPTIVE ABOUT WHAT THEY WANTED  
21 TO HAPPEN AND THIS IS WHAT NEEDS TO HAPPEN WITH  
22 THIS LAW. IT IS GOING TO HAVE TO BE MORE  
23 PRESCRIPTIVE IN ORDER TO BE MORE FAIR. WE NEED  
24 YOU BOTH IN THE ADMINISTRATION AND OUR  
25 REPRESENTATIVES IN CONGRESS, WE NEED YOU TO BE

1 THE LEADERS TO HELP US TO MAKE THIS LAW MORE  
2 FAIR AND MORE JUST. THANK YOU.

3 MR. LAWSON: THANK YOU. WE'RE CLOSING  
4 DOWN TO ABOUT EIGHT O'CLOCK, IT'S ABOUT TEN OR  
5 ELEVEN MINUTES OF. AT EIGHT O'CLOCK WE'LL  
6 BREAK WITH THE FORMAL PART OF THIS, BUT ANY OF  
7 YOU WHO WOULD LIKE TO STAY AND TALK WITH ANY OF  
8 THESE THREE INDIVIDUALS ON THE PANEL AFTERWARD,  
9 ARE CERTAINLY WELCOME TO DO SO. I'M GOING TO  
10 TAKE A FEW PEOPLE BUT I WILL TELL YOU WHEN THE  
11 LAST PERSON, WE'LL PROBABLY TAKE AT LEAST TWO  
12 MORE AND MAYBE A THIRD, WE'LL SEE. PLEASE.

13 SPEAKER: THANK YOU. MY NAME IS KITTY  
14 MCNAMARA AND I'M HERE ON BEHALF OF MY FAMILY  
15 CARRYING ON WHAT MY FATHER FOUGHT FOR YEARS FOR  
16 AND IN 1998 HE FINALLY DIED ENCOURAGING US TO  
17 CONTINUE. HE WAS BURNED BY BERYLLIUM. THE  
18 FIRST PERSON TO EVER CUT IT, BUT HE WAS TOLD  
19 THAT HIS SYMPTOMS DID NOT MEET WITH THE KNOWN  
20 SYMPTOMS, EVEN THOUGH NOBODY ELSE HAD EVER BEEN  
21 BURNED BY IT. HE CAME TO WORK AT Y-12  
22 FOLLOWING IN HIS PARENTS' FOOTSTEPS WHO DIED OF  
23 CANCER OF THE KIDNEY AND BONES AND ABDOMINAL  
24 CANCER COLLECTIVELY IN THEIR EARLY FIFTIES. I  
25 NEVER GOT TO EVEN MEET THEM. UNFORTUNATELY, MY

1 FATHER HAD MEDICAL RECORDS, ONE ON TOP OF  
2 ANOTHER, HE HAD A THORACIC SURGEON WHO WAS  
3 WILLING TO TELL HIM VERBALLY THAT HE KNEW THAT  
4 THE FLUID BUILD-UP AND THE PROBLEMS IN HIS  
5 LUNGS WERE FROM THE BERYLLIUM EXPOSURE, BUT HE  
6 STATED OPENLY TO MY PARENTS, IF I PUT THIS ON  
7 PAPER, I'LL BE RUINED. I WON'T WORK AGAIN.  
8 DOE AND THE GOVERNMENT WILL RUIN ME. HE WAS  
9 TOLD THIS BY MORE THAN ONE DOCTOR. I CAN'T  
10 DOCUMENT THIS. WHEN WE REQUESTED HIS MEDICAL  
11 RECORDS FROM Y-12, THERE WERE ACTUALLY PLACES  
12 WHERE THEY HAD GONE THROUGH WITH BLACK MARKERS  
13 AND MARKED THINGS OUT. MY TWO YOUNGER SISTERS;  
14 ONE WAS CONCEIVED WITHIN ABOUT THREE MONTHS OF  
15 WHEN HE WAS EXPOSED, NOW HAS MAJOR MEDICAL  
16 PROBLEMS, SHE HAS BLOOD DYSCRASIA. THE OTHER  
17 ONE WAS BORN THIRTEEN MONTHS AFTER HER. SHE'S  
18 HAD MAJOR MEDICAL PROBLEMS. ALL ALONG THE LINE  
19 NOBODY WOULD TEST, LIKE THIS LADY SAID PREVIOUS  
20 TO ME, DOCTORS JUST SHOOK THEIR HEADS AND SAID,  
21 I CAN'T TEST YOU. IF I TEST YOU, I'LL GET IN  
22 TROUBLE AND I'LL PAY THE PRICE. HE SAID, JUST  
23 REFER ME TO SOMEBODY. THEY SAID, YOU CAN'T  
24 EVEN AFFORD THE TESTS YOU WOULD NEED. MELANIE  
25 DAKE FROM MARTIN MARIETTA, THREE YEARS BEFORE

1 MY DADDY DIED, PROMISED TO SEND HIM THE FORMS  
2 SO THAT HE COULD FILL THEM OUT AND THEY WOULD  
3 PAY FOR THE TESTING. AFTER MULTIPLE PHONE  
4 CALLS, HE STILL NEVER GOT THE FORMS, NEVER GOT  
5 THE TESTING. WE WERE AT THE MEETING AT THE  
6 MUSEUM AND WE ASKED SPECIFICALLY WHAT DO WE DO.  
7 WE HAVE MEDICAL RECORDS DOCUMENTING HIS  
8 EXPOSURE, HIS BURNS, HIS MEDICAL PROBLEMS AFTER  
9 THAT. WE WERE TOLD BY THAT PANEL; IF YOU CAN  
10 PROVE TO US, SHOW US THE MEDICAL RECORDS  
11 PROVING HE WAS EXPOSED AND HE HAD THESE MEDICAL  
12 PROBLEMS AFTERWARDS, YOU WILL QUALIFY. WE  
13 ASKED TWO DIFFERENT TIMES IN TWO DIFFERENT WAYS  
14 TO MAKE SURE. MY MOTHER SUBMITTED THE CLAIM,  
15 SHE WAS TURNED DOWN OUTRIGHT. YOU DON'T HAVE  
16 THE PROPER TESTING. SHE CALLED UP AND SAID,  
17 WHAT DO I DO NEXT. CAN I GET AN APPEAL, CAN I  
18 GET AN INTERVIEW. RESUBMIT AGAIN. WE'LL LOOK  
19 AT IT AGAIN. THAT IS THEIR ANSWER. WE FEEL  
20 PERSONALLY THAT THESE TASKS FORCE, OR WHOEVER  
21 THE PEOPLE ARE THAT ARE PAID TO LOOK AT THESE,  
22 ARE WORKING DILIGENTLY TO KEEP US FROM GETTING  
23 THESE PAYMENTS RATHER THAN ALLOWING US TO GET  
24 THEM. WE ARE BEING PUNISHED BECAUSE MY DADDY  
25 DIDN'T HAVE THE PROPER RECORDS. HE WAS

1 DISCHARGED IN 1973. HE WADED UP TO HIS ANKLES  
2 IN RADIATION-FILLED WATER, HE WOULD HAND HIS  
3 DOSIMETER IN AND IT WOULD SET THE METERS OFF  
4 AND THEY WOULD FALSIFY THE NUMBER AND TELL HIM  
5 TO GO ON.

6 MR. LAWSON: LET'S HAVE A RESPONSE.

7 SPEAKER: HOW DO WE PROVE THAT MY DADDY,  
8 WHEN HE WAS RETIRED WITH FOUR CHILDREN NOT EVEN  
9 OUT OF HIGH SCHOOL YET, SUFFERED A DISEASE THAT  
10 NOBODY WAS WILLING TO ADMIT TO? MY MOTHER IS  
11 LIVING ON A LIMITED INCOME, HIS SOCIAL  
12 SECURITY, BECAUSE HE RETIRED AT FORTY-SEVEN ON  
13 MEDICAL, HE NEVER EVEN GOT A CHANCE TO EVEN GET  
14 FULL SOCIAL SECURITY. SHE'S ON A VERY LIMITED  
15 INCOME. HOW DO WE GET A CHANCE WHEN WE CAN'T  
16 EVEN GET PAST THE REVIEWER WHO AUTOMATICALLY  
17 SAYS; NO TESTS, FORGET IT.

18 MR. TURCIC: ARE YOU REFERRING TO A  
19 FEDERAL CLAIM OR A STATE CLAIM?

20 SPEAKER: THE ONE THAT WENT TO  
21 JACKSONVILLE.

22 MR. TURCIC: I DON'T UNDERSTAND WHERE  
23 THIS ISSUE OF RECONSIDERATION OR RESUBMISSION  
24 BECAUSE THAT IS NOT PART OF THE PROCESS. THE  
25 PROCESS WOULD BE, YOU MAY HAVE GOTTEN A

1 DEVELOPMENTAL LETTER. YOU MAY HAVE GOTTEN A  
2 LETTER THAT IS DEVELOPING THE MEDICAL ASKING  
3 YOU TO SUBMIT THE MEDICAL INFORMATION.

4 SPEAKER: NO, WE GOT A LETTER DENYING.

5 MR. TURCIC: THERE IS NO PART OF THE  
6 PROCESS OF ANYTHING OF RESUBMITTING, THE  
7 PROCESS IS YOU WOULD GET A RECOMMENDED DECISION  
8 AT WHICH TIME YOU COULD ASK FOR A HEARING OR  
9 YOU COULD ASK FOR A REVIEW OF THE RECORD. BUT  
10 THERE IS NO SUCH THING.

11 SPEAKER: WE GOT A LETTER SAYING YOU  
12 CAN'T MEET TWO OF THE FIVE CRITERIA, YOU ARE  
13 DENIED. MY MOTHER CONTACTED THEM AND SAID,  
14 WHAT CAN I DO TO HAVE THIS RECONSIDERED. THEY  
15 SAID, RESUBMIT YOUR CLAIM AGAIN WITH ALL OF THE  
16 SAME DOCUMENTATION.

17 MR. TURCIC: MA'AM, I'M NOT DENYING YOU  
18 WERE TOLD THAT. THAT IS NOT THE PROCESS.

19 SPEAKER: WELL, WHEN YOU HAVE GOT PEOPLE  
20 THAT DON'T KNOW YOUR PROCESS AND I THINK, FROM  
21 WHAT I'VE BEEN HEARING TONIGHT HERE, YOU'VE GOT  
22 PEOPLE THAT DON'T KNOW YOUR PROCESS THAT ARE  
23 MAKING DECISIONS THAT ARE AFFECTING PEOPLE. MY  
24 MOTHER IS SIXTY-EIGHT YEARS OLD.

25 MR. TURCIC: DID YOU RECEIVE A



1 RECOMMENDED DECISION OR JUST A LETTER FOR  
2 MEDICAL?

3 SPEAKER: SHE CAN SPEAK MORE TO THAT.  
4 THE LETTER DENIED THE CLAIM.

5 MR. TURCIC: NO, THE LETTER CAN'T --

6 SPEAKER: IT DID.

7 MR. TURCIC: EVEN A RECOMMENDED DECISION  
8 IS NOT, I NEED TO STRESS THIS SO PEOPLE  
9 UNDERSTAND. A DENIAL, UNTIL IT IS A FINAL  
10 DECISION, THERE IS NO DENIAL UNTIL IT'S A FINAL  
11 DECISION.

12 SPEAKER: IT WAS DENIED AND WHEN I  
13 TALKED TO HER BY PHONE THEN, WHAT DO I DO, SHE  
14 SAID, YOU MUST HAVE THESE FIVE CRITERIA.

15 MR. TURCIC: THREE OF THE FIVE.

16 SPEAKER: WELL, ANYWAY I HAD TO HAVE THE  
17 TOTAL OF FIVE. I'M TELLING HER I HAVE THE FORM  
18 AT OAK RIDGE THAT SHOWS HE WAS BURNED, THAT A  
19 DOCTOR TENDED TO HIM THROUGH OAK RIDGE, WE GOT  
20 THE THINGS THAT HAD ALL THIS STUFF BLACKED OUT  
21 WITH A MARKER. WHAT WERE THEY TRYING TO  
22 ATTEMPT TO DO THERE? IT WAS TURNED DOWN BUT  
23 SHE SAID I COULD RESUBMIT EVERYTHING AGAIN.  
24 AND I SAID, BUT I SENT YOU COPIES. WELL, SEND  
25 ME MORE COPIES. WE WILL REVIEW IT, OR WHETHER

1           SHE USED THAT TERM OR NOT, WE'LL GO OVER IT  
2           AGAIN, BUT IF YOU DON'T HAVE THIS MATERIAL, YOU  
3           WILL BE TURNED DOWN AGAIN JUST FLAT. SO A  
4           LETTER WENT OUT THEN BY FAX. I CAN'T GET IT  
5           READY IN THIRTY DAYS, I CAN'T, I HAVE SEARCHED  
6           HOSPITALS, I'VE SEARCHED DOCTORS FOR FORTY  
7           YEARS. I HAVE GOT HIS DOCTOR WHO DID HIS FIRST  
8           BRONCHOSCOPY WHO SAID THAT HE COULD NOT PUT  
9           DOWN THERE THAT IT WAS BERYLLIUM, BUT HE WAS  
10          SURE IT WAS. HE IS EIGHTY YEARS OLD, HE DOES  
11          NOT HAVE RECORDS THAT ARE FORTY YEARS OLD. ONE  
12          OF HIS DOCTORS THAT WAS TENDING TO HIM DIED.  
13          HIS RECORDS ARE GONE. OUR FAMILY PHYSICIAN WHO  
14          FIRST SENT HIM TO THE THORACIC SURGEON IS  
15          RETIRED. HIS MATERIAL, HIS FILES, ARE GONE.  
16          WHAT DO YOU DO? I CAN'T GET A DOSIMETER  
17          READING. AND FOR YEARS MY HUSBAND BELIEVED YOU  
18          DON'T SAY ANYTHING ABOUT CARBIDE. LIKE THE  
19          MILITARY. YOU GO TO YOUR DEATH NOT SHARING  
20          INFORMATION. AND HE WAS REALLY ANGRY AT WHAT  
21          HAD BEEN TRANSPIRED. HE SENT HIS RECORDS TO A  
22          LAWYER WHO HAD SETTLED ONE CASE AND THIS LAWYER  
23          IN CHATTANOOGA AND HE SAID, YES, I CAN HELP  
24          YOU. GUESS WHAT? WE GOT THE STACK BACK. I'M  
25          SORRY, I CAN'T HELP YOU. SO WHO SQUEEZED THIS

1           LAWYER?

2                       MS. COOK: LET ME JUST SAY THIS. WE  
3           NEED TO GET, I WOULD LIKE TO MAKE SURE THAT  
4           PETE AND I ARE TOGETHER AND WE FOLLOW UP AND  
5           FIND OUT WHAT WE CAN DO NEXT FOR YOU AND FIND  
6           OUT HOW TO GO FORWARD. I WILL ABSOLUTELY AGREE  
7           WITH YOU THAT THIS IS VERY COMPLICATED AND SOME  
8           OF THE LETTERS THAT I HAVE SEEN GO BACK AND  
9           FORTH, LIKE I SAID, I HAVE SPENT A LOT OF TIME  
10          WITH UNION WORKERS AND MY FAMILY ARE ALL UNION  
11          WORKERS, I'LL JUST TELL YOU THAT. AND MY  
12          FATHER LOOKED AT A LOT OF LETTERS HE GOT FROM  
13          FOLKS SAYING I DON'T KNOW WHAT THIS MEANS, BUT  
14          IT SURE DOES NOT LOOK GOOD TO ME. WE'VE GOT TO  
15          START WORKING AT HOW WE COMMUNICATE SO THAT  
16          EVERYONE CAN BETTER UNDERSTAND WHERE YOU ARE IN  
17          THE PROCESS AND WHAT IT MEANS NEXT. BUT LET US  
18          TAKE A LOOK SPECIFICALLY AT YOUR CASE TO SEE  
19          WHAT ELSE WE CAN DO TO HELP.

20                     MR. LAWSON: MAKE SURE YOU GIVE YOUR  
21          NAME.

22                     SPEAKER: I WILL. CAN I JUST SAY ONE  
23          LAST THING, PLEASE, AND I KNOW YOU'RE ON THIS  
24          TIME SCHEDULE. I'M AN RN AND TO ME DOE HAS  
25          BEEN DOING TO US WHAT I WOULD SAY A PATIENT

1           WOULD SAY TO ME IF I WALKED UP TO THEM AND SAID  
2           YOU DON'T NEED THIS TEN O'CLOCK DOSE OF  
3           MEDICATION, ALTHOUGH YOU ARE VERY SICK, BECAUSE  
4           I HAVE MADE UP MY MIND YOU DON'T NEED IT. AND  
5           I THINK THAT IS WHAT DOE AND THE OTHERS ARE  
6           TRYING TO DO TO US. YOU ARE TRYING TO CRAM US.

7   (APPLAUSE)

8                       MR. LAWSON: I SEE FOUR PEOPLE HERE. I  
9           WANT TO TAKE ALL FOUR OF YOU, BUT I'M GOING TO  
10          ASK ALL FOUR OF YOU TO BE VERY QUICK, LIKE A  
11          MINUTE, IF YOU CAN SO THE PEOPLE WHO'VE BEEN  
12          WAITING A LONG TIME WOULD BE ABLE TO TALK TO  
13          THESE FOLKS. PLEASE, MA'AM.

14                      SPEAKER: MY NAME IS ELIZA ROBINSON AND  
15          I WORKED AT K-25 EIGHTEEN YEARS. AND I WENT TO  
16          OAK RIDGE HOSPITAL THIRTY-SIX TIMES OUT OF THE  
17          EIGHTEEN YEARS WHEN THEY WOULD SEND ME TO WORK  
18          IN THE MAIL ROOM. I COULD NOT BREATHE AND THEY  
19          WOULD SEND ME AND DR. FORTNEY WOULD SAY, YOU  
20          WILL HAVE TO GO TO THE HOSPITAL. AND I WOULD  
21          HAVE MY THROAT BURNING AND THEY WOULD GIVE ME  
22          SOME KIND OF MEDICINE AND KEEP ME UP THERE  
23          WEEKS AT A TIME. AND THEN DR. THOMAS CAME OUT  
24          THERE. I HAD THE SAME THING EVERY TIME THEY  
25          WOULD SEND ME TO THE MAIL ROOM TO WORK. AND I

1 HAVE GOT THYROIDS, I'VE GOT A GOITER AND I'M ON  
2 OXYGEN. AND THIS IS WHAT I CAN'T UNDERSTAND, I  
3 WASN'T LIKE THAT WHEN I WENT THERE, DID I NEVER  
4 WOULD HAVE WENT.

5 MR. LAWSON: HAVE YOU FILED A CLAIM FOR  
6 ANYTHING, MA'AM?

7 SPEAKER: YES, I HAVE.

8 MR. LAWSON: WHAT IS THE STATUS?

9 SPEAKER: I GOT A LETTER BACK SAYING,  
10 WELL, IT IS NOT CANCER YET AND I WAS TURNED  
11 DOWN.

12 MS. COOK: THE FEDERAL PROGRAM, IT  
13 SOUNDS LIKE WHAT YOU ARE TALKING ABOUT IS  
14 WAITING FOR THE SUBTITLE D PROGRAM TO GET IN  
15 PLACE SO WE CAN HELP YOU WITH STATE WORKERS  
16 COMP BECAUSE WHAT YOU ARE TALKING ABOUT --

17 SPEAKER: THAT'S WHAT I WANT TO KNOW. I  
18 WAS NOT SICK BEFORE I WENT THERE.

19 MS. COOK: I UNDERSTAND.

20 SPEAKER: AND THIS IS WHAT I WANT TO  
21 KNOW. AS LONG AS I DIDN'T GO IN THE MAIL ROOM  
22 AT 1037, I DROVE THE TAXI, I DIDN'T HAVE THE  
23 PROBLEM. BUT WHEN I WOULD GO IN THERE WHERE  
24 ALL THAT WAS, I COULD NOT BREATHE AND MY THROAT  
25 WOULD BE BURNING AND THEY WOULD CALL AN

1           AMBULANCE AND SEND ME TO OAK RIDGE HOSPITAL.

2                   MS. COOK: WE NEED TO MOVE FORWARD AND  
3           GET OUR PROGRAM GOING.

4                   SPEAKER: THAT LETS YOU KNOW RIGHT THERE  
5           THAT SOMETHING WAS WRONG. AS LONG AS THEY  
6           DIDN'T SEND ME IN THE BUILDING AND DIDN'T SEND  
7           ME IN 1420, I DIDN'T HAVE THE PROBLEM. BUT  
8           WHEN I WOULD GO IN THERE THEN I WOULD GET ALL  
9           OF THESE PROBLEMS AND TO OAK RIDGE HOSPITAL I  
10          WOULD GO. WELL, THEY HAD ALREADY SENT A LETTER  
11          BEFORE THE AMBULANCE GOT THERE. YOU KNOW,  
12          PEOPLES ARE NOT DUMB, YOU KNOW, BECAUSE YOU  
13          DON'T GO THERE WITH THE SAME THING. AND THEN  
14          FINALLY THEY GAVE ME A DISABILITY, YOU KNOW.  
15          AND DR. FORTNEY SAID, WE CAN'T SEND HER BACK IN  
16          THE MAIL ROOM. OKAY.

17                  MR. LAWSON: I'M SORRY, WE CAN'T DEAL  
18          WITH AN INDIVIDUAL CASE, BUT IF YOU WILL GIVE  
19          YOUR NAME, I'M SURE THAT SOMEBODY WILL, IF YOU  
20          HAVEN'T GOT THE ANSWER, WHICH I THINK YOU HAVE  
21          HAD HERE, WHEN THESE REVISIONS COME THROUGH YOU  
22          WILL PROBABLY BE INCLUDED, BUT MAKE SURE YOU  
23          TALK TO SOMEBODY AFTER SO THAT WE HAVE YOUR  
24          NAME. QUICKLY PLEASE.

25                  SPEAKER: MY NAME IS VICKIE HATFIELD AND

1 I'M HERE ON BEHALF OF MY FATHER, HIS NAME WAS  
2 LEON MEADE. AND LIKE A GOOD NUMBER OF OTHER  
3 PEOPLE HERE, HE DIED IN JANUARY OF LUNG CANCER.  
4 I HAVE BEEN ON BOTH ENDS OF THE WORKMAN'S  
5 COMPENSATION AND OF THE DOL PROCEDURE. I'LL  
6 SAY WE ARE LUCKY WE GOT COMPENSATION FOR  
7 DADDY'S LUNG CANCER, BUT I LOST MY FATHER IN  
8 THE MEANTIME, SO I DON'T CONSIDER THAT TO BE  
9 LUCK AND I DON'T CONSIDER A HUNDRED AND FIFTY  
10 THOUSAND DOLLARS COMPENSATION FOR HIS LIFE.  
11 WHAT I'D REALLY LIKE TO ADDRESS IS THE  
12 WORKMAN'S COMPENSATION ISSUE. HAVING BEEN ON  
13 BOTH ENDS OF THAT, IT IS A HORRIBLE, HORRIBLE  
14 THING. THEY DON'T PAY. THEY DON'T SMALL  
15 CLAIMS. I WOULD CALL ABOUT DADDY'S MEDICINE  
16 AND I WOULD SAY, YOU NEED TO PAY FOR THIS. AND  
17 THEY WOULD GO, NO. AND I'D GO, WHY NOT. AND  
18 THEY'D SAY, WHAT'S IT FOR. WELL, IF YOU ARE  
19 GOING TO DENY IT, YOU SHOULD KNOW WHAT IT IS  
20 FOR BEFORE YOU DENY IT. WHAT'S UP WITH THAT?  
21 THEY JUST WON'T PAY. THEN WE FILED AGAIN FOR  
22 DEATH BENEFITS BECAUSE MY FATHER DIED OF LUNG  
23 FAILURE. AND I WAS TOLD THROUGH THE THIRD  
24 PARTY WORKMAN'S COMPENSATION PEOPLE THAT THE  
25 DEPARTMENT OF ENERGY DID NOT BELIEVE THAT MY

1 FATHER'S DEATH WAS CAUSED SPECIFICALLY BY HIS  
2 WORK-RELATED ILLNESS. MY FATHER HAD ASBESTOS  
3 THAT THE DOCTORS HAVE SAID IN WRITING TURNED TO  
4 LUNG CANCER. I CAN'T IMAGINE WHAT ELSE WOULD  
5 HAVE CAUSED MY FATHER TO LAY THERE FOR HOURS  
6 THE DAY THAT HE DIED SUFFOCATING TO DEATH  
7 EXCEPT HIS ASBESTOS AND HIS LUNG CANCER. WHY  
8 WOULD THEY WANT TO FIGHT ME ON THIS? HE  
9 ALREADY HAD WORKERS COMPENSATION, WE'D ALREADY  
10 GOT DOL MONEY, BUT THEY DON'T WANT TO ADMIT  
11 THAT HIS DEATH IS CAUSED FROM HIS WORK-RELATED  
12 ILLNESS. TO ME, THAT IS A TRAVESTY, THAT IS  
13 WRONG. IT'S JUST WRONG. AND THIS CAME  
14 DIRECTLY FROM THE THIRD PARTY WORKMAN'S  
15 COMPENSATION PEOPLE WHO ARE SAYING THE ATTORNEY  
16 FOR DEPARTMENT OF ENERGY SAYS THEY DON'T  
17 BELIEVE HIS DEATH WAS ATTRIBUTED TO HIS WORK  
18 WHEN IT SPECIFICALLY SAID ON HIS DEATH  
19 CERTIFICATE FIVE DIFFERENT CAUSES ALL WORK  
20 RELATED. I APPRECIATE YOUR TIME.

21 MS. COOK: LET ME JUST TELL YOU REAL  
22 QUICK HOW THIS IS GOING TO WORK AND THAT IS  
23 THAT THE LEGISLATION IS VERY CLEAR THAT WE ARE  
24 TO ASSIST AND TO ASSURE PAYMENT BY OUR  
25 CONTRACTORS. OF COURSE, THE ONLY ONES THAT I



1 CAN REACH OUT AND TOUCH ARE THE ONES THAT I  
2 ACTUALLY HAVE SOME KIND OF CONTRACTUAL AGENT  
3 WITH. I'LL TELL YOU RIGHT NOW, NO MATTER WHAT  
4 THEY SAID, IT WAS NOT A DOE LAWYER WHO SAID  
5 THAT BECAUSE WORKERS COMP IS A CONTRACTOR, IT'S  
6 NOT A DOE PERSON. BUT THERE IS A LOT OF  
7 CONFUSION AROUND THAT TOO. BUT WHAT WE CAN DO  
8 HERE IS GET THIS RULE IN PLACE AND GO BACK AND  
9 REVISIT THOSE CASES AND I CAN PUT THAT KIND OF  
10 PRESSURE ON TO MAKE SURE THAT WE GET OUR  
11 CONTRACTORS PAYING UP FOR THAT. I'M  
12 REIMBURSING THEM FOR PAYING, OKAY, SO IT IS NOT  
13 AN ISSUE TO THEM ABOUT MONEY.

14 SPEAKER: I UNDERSTAND THAT AND I HAVE  
15 BEEN INVOLVED IN THIS FROM THE ONSET. AND THE  
16 PROBLEM THAT I SEE AS I LOOK OUT OVER THIS  
17 GROUP OF PEOPLE IS THAT THERE ARE A LOT OF  
18 PEOPLE HERE WHO NEED WORKMAN'S COMPENSATION WHO  
19 DON'T MAYBE QUALIFY FOR THE DOL MONEY, BUT THEY  
20 CERTAINLY NEED HELP. AND WITH THE BATTLES THAT  
21 WE ARE FIGHTING, THEY ARE NOT GOING TO GET THAT  
22 HELP AND THAT NEEDS TO BE ADDRESSED RATHER  
23 QUICKLY. THANK YOU.

24 MS. COOK: THAT'S WHY WE OUGHT TO GET  
25 MOVING QUICKLY ON THIS.

1 MR. LAWSON: QUICKLY, SIR.

2 SPEAKER: JIM BLANKENSHIP WITH THE  
3 ATOMIC TRADES LABOR COUNCIL HERE IN OAK RIDGE.  
4 FIRST JUST A COUPLE OF QUICK COMMENTS AND THEN  
5 A QUICK QUESTION. THE ATOMIC TRADES AND LABOR  
6 COUNCIL WOULD LIKE TO EXTEND ITS THANKS TO ALL  
7 THE HARD WORK THAT HAS BEEN DONE AT THE ENERGY  
8 EMPLOYEES COMPENSATION RESOURCE CENTER HERE IN  
9 THE OAK RIDGE. THE STAFF HERE HAS TREATED EACH  
10 AND EVERY ONE COMING THROUGH THEIR OFFICE WITH  
11 KINDNESS AND UNDERSTANDING AND LIKE A MEMBER OF  
12 THEIR OWN FAMILY. THE ATOMIC TRADES WOULD ALSO  
13 LIKE TO THANK BOTH CONGRESSMEN WAMP AND DUNCAN  
14 FOR THEIR SUPPORT AND EFFORTS WITH THE ATOMIC  
15 TRADES COUNCIL AND THEIR ATTEMPT TO ACQUIRE A  
16 CAT SCAN MACHINE FOR OUR MEMBERS AT ORNL AND  
17 Y-12. AND THE LAST COMMENT WOULD BE THAT IT  
18 APPEARS THAT THE DISTRICT OFFICE IN FORT  
19 LAUDERDALE, FLORIDA DOES NOT APPEAR TO HAVE THE  
20 SAME LEVEL OF CONCERN AND URGENCY THAT THE  
21 ENERGY EMPLOYEES RESOURCE CENTER HERE IN OAK  
22 RIDGE HAS OR ON THE DECEASED WORKERS' FAMILIES.  
23 THE QUESTION I HAVE IS PRIOR TO COMING TO WORK  
24 AT ORNL, WHICH I HAVE BEEN THERE TEN YEARS, I  
25 WORKED SEVENTEEN YEARS WITH KNOXVILLE BUILDING

1           TRADES, I'VE WORKED ALL OVER THE COUNTRY, A  
2           YEAR IN ROCKY FLATS, WORKED A YEAR AT SAVANNAH  
3           RIVER AND ALL THREE OAK RIDGE PLANTS. IF  
4           SOMETHING HAPPENS TO ME SOMEWHERE DOWN THE  
5           PIKE, WHO DO I GO SEE?

6                   MS. COOK: YOU ARE LIKE ME. WHO DO I GO  
7           SEE? THAT IS STILL A PART THAT WE HAVE TO  
8           SETTLE OUT AND EACH STATE IS DIFFERENT THAT WAY  
9           TOO. SOMETIMES THEY SAY WHEREVER YOU LAST  
10          RESIDED, SOMETIMES THEY SAY BETWEEN STATES AND  
11          WE HAVE TO WORK OUT AGREEMENTS WITH EACH STATE  
12          WHAT THEIR STATE WORKERS COMP AND HOW THAT'S  
13          GOING TO BE DEALT WITH. BUT I'LL ASSURE YOU  
14          THAT YOU ARE CERTAINLY NOT A MINORITY ANYMORE  
15          THAN I AM. WE HAVE BEEN AT MULTIPLE SITES AND  
16          WE'VE GOT TO FIGURE OUT, ESPECIALLY IF MULTIPLE  
17          WORKER COMP PROGRAMS APPLY, HOW WE MIGHT DEAL  
18          WITH THAT. SO THAT IS SOMETHING HIGH ON MY  
19          LIST OF TRYING TO SORT THROUGH.

20                   SPEAKER: AND ONE LAST COMMENT. THERE  
21          IS A LOT OF PEOPLE HERE STILL WHO WISH TO  
22          SPEAK. THANK YOU.

23                   MS. COOK: I KNOW THAT. THANK YOU.

24                   MR. LAWSON: THE LAST COMMENT OVER HERE  
25          PLEASE.

1                   SPEAKER: MY NAME IS TOMMY FULLER, I'M A  
2                   REPRESENTATIVE WITH THE SHEET METAL WORKERS  
3                   INTERNATIONAL ASSOCIATION. I HAVE MET WITH MS.  
4                   COOK BEFORE AND WE APPRECIATE CONGRESSMAN  
5                   WAMP'S OFFICE FACILITATING THIS MEETING. I DID  
6                   WANT TO STATE, THOUGH, IT IS VERY EVIDENT, JUST  
7                   AS THE FIRST GENTLEMAN THAT GOT UP AND SPOKE,  
8                   THERE ARE MANY SHORTCOMINGS WITHIN THE ACT  
9                   ITSELF. WHEN YOU LOOK AT ALL THE HEAVY METALS  
10                  AND THINGS THAT WE RUN INTO AT THESE FACILITIES  
11                  THAT ARE NOT COVERED, NUMEROUS BUILDINGS THAT  
12                  THESE DIFFERENT TYPES OF METALS, WHETHER IT BE  
13                  BERYLLIUM, LEAD, MERCURY, THAT WE HAVE WORKERS  
14                  THAT ARE GETTING EXPOSED TO, NOT ONLY IN THE  
15                  SHEET METAL CRAFT, BUT ALL THE BUILDING TRADES  
16                  AND MAINTENANCE CRAFTS OUT HERE AT THE PLANT.  
17                  IT IS CERTAINLY A TRAGEDY THAT THESE PEOPLE  
18                  DON'T HAVE SOME TYPE OF COMPENSATION THAT WERE  
19                  IN LEAD OR, FOR INSTANCE, EVEN WITH THE  
20                  BERYLLIUM LEGISLATION, MY UNDERSTANDING IS THAT  
21                  IT COVERS THE INDIVIDUALS THAT MIGHT HAVE BEEN  
22                  MACHINING THE BERYLLIUM AND THINGS OF THAT  
23                  NATURE. WHAT WE RUN INTO, FOR INSTANCE, FOR  
24                  EXAMPLE, IN THE SHEET METAL INDUSTRY, OUR  
25                  MEMBERS GO IN AND WHEN WE TEAR OUT THE EXHAUST

1 DUCT WORK AND UPGRADE THE EXHAUST SYSTEMS,  
2 THESE HEAVY METALS ARE LAYING WITHIN THE DUCT  
3 WORK AND OUR MEMBERS ARE EXPOSED TO NUMEROUS,  
4 WHETHER IT BE CONTAMINATION, HEAVY METALS, WHAT  
5 HAVE YOU, AND THEY ARE NOT COVERED AND THAT IS  
6 VERY UNFORTUNATE. I'M PROUD TO BE A CRAFTS  
7 PERSON AND I'VE WORKED OUT HERE MYSELF EIGHT  
8 AND A HALF YEARS BEFORE TAKING THIS POSITION.  
9 WE HAVE HAD PEOPLE THAT HAVE BEEN OUT HERE  
10 SINCE THE FORTIES, WHETHER IT BE CONSTRUCTING  
11 OR MAINTAINING THESE FACILITIES THAT WE  
12 REPRESENT. ONE GENTLEMAN MENTIONED HE WAS  
13 PROUD TO WORK OUT HERE AND DIDN'T HAVE ANY  
14 COMPLAINTS AND WAS GLAD HE HAD A JOB FOR HIS  
15 FAMILY. MOST OF OUR MEMBERS FEEL THAT WAY AND  
16 THEY CERTAINLY ARE HONORED TO BE PART OF THE  
17 COLD WAR EFFORT AND THE WAR EFFORT AND WHAT  
18 THEY'VE DONE FOR THIS COUNTRY. I'M A TAXPAYER  
19 ALSO. I REALIZE THIS IS GOING TO COST A LOT OF  
20 MONEY, BUT PEOPLE THAT COME OUT HERE WERE A  
21 PART OF WAR EFFORT AND THE COLD WAR EFFORT.  
22 THEY HAVE BEEN LIED TO, THEY'VE BEEN MADE SICK,  
23 THEY'VE SUFFERED, THEY CERTAINLY DO NOT DESERVE  
24 TO NOT BE COMPENSATED AT LEAST FOR THEIR  
25 MEDICAL EXPENSES FOR ALL THE RELATED DISEASES,

1 NOT JUST THOSE WITHIN THE ACT. AND I WOULD  
2 LIKE THE CONGRESSMEN AND THE PEOPLE TO HEAR  
3 THIS. THEY NEED TO REQUIRE THE ACT TO COVER  
4 MORE EMPLOYEES THAT HAVE BECOME ILL DUE TO  
5 WHETHER IT BE CHEMICAL OR HEAVY METAL EXPOSURE  
6 OUT HERE AT THESE SITES AND TAKE CARE OF THEM  
7 AND THEIR FAMILIES BECAUSE THEY CERTAINLY CAME  
8 OUT HERE AND WORKED FOR THEIR COUNTRY, WE ARE  
9 PROUD TO DO IT AND THEY SHOULD BE COMPENSATED  
10 FOR DOING THAT. THANK YOU.

11 MR. LAWSON: MA'AM, I SAW YOU STANDING  
12 OVER THERE. CAN YOU BE EXTREMELY QUICK, OR DO  
13 YOU HAVE SOME WRITTEN COMMENTS YOU'D LIKE TO  
14 SUBMIT?

15 SPEAKER: THEY ARE NOT WRITTEN, I JUST  
16 HAVE A FEW THINGS THAT ARE DOWN.

17 MR. LAWSON: PLEASE GO AHEAD.

18 SPEAKER: MY NAME IS DIANE GRAY. I'M A  
19 WIFE OF A SICK WORKER. (CRYING) EXCUSE ME. HE  
20 HAS NOT WORKED IN SEVEN YEARS. HE LOVED HIS  
21 JOB, HE LOVED WORKING FOR THEM AND BEING A COLD  
22 WAR VETERAN. NOT ONLY IS HE A COLD WAR VETERAN  
23 BUT HE IS A VETERAN, HE SERVED HIS COUNTRY IN  
24 THE AIR FORCE. BUT I DO NOT APPRECIATE THEM  
25 MAKING HIM SICK. EVERYTHING THAT HE HAS IS NOT

1 COVERED. WE ARE GOING TO HAVE TO FIGHT TO BE  
2 ABLE TO GET ANYTHING IS TO GO THROUGH THE STATE  
3 WORKMANS COMP, THAT IS A JOKE. THAT IS A JOKE.  
4 WHY SHOULD IT BE STATE? WHY CAN IT NOT BE  
5 FEDERAL?

6 MS. COOK: IF THAT'S A QUESTION, I'LL  
7 JUST TELL YOU THE LEGISLATION SAYS DOE ASSISTS  
8 YOU TO GET STATE WORKERS COMP. YOU CAN IMAGINE  
9 HOW DIFFICULT THAT IS FOR ME TRYING TO LOOK OUT  
10 FOR THE ENTIRE WORK FORCE WHERE IT VARIES STATE  
11 TO STATE. IF WE, AS A COUNTRY, DECIDE WE WANT  
12 A FEDERAL WORKERS COMP PROGRAM WE NEED TO MOVE  
13 TOGETHER AND MAKE THAT HAPPEN.

14 SPEAKER: IT NEEDS TO HAPPEN AND THIS IS  
15 WHERE WAMP AND DUNCAN NEED TO GET ON THE BALL  
16 AND GET GOING. THEY HAVE PLAYED AROUND TOO  
17 LONG. THERE ARE SO MANY WORKERS THAT ARE SICK  
18 IN THIS AREA THAT ARE BARELY HANGING ON BY THE  
19 SKIN OF THEIR TEETH. WHEN YOU ARE USED TO  
20 HAVING MONEY COME IN AND NOW YOU ARE LIVING ON  
21 SOCIAL SECURITY, THAT IS A JOKE. THEY DON'T  
22 PAY YOU ANYTHING. AND THEN YOU ARE SUPPOSED TO  
23 GET DISABILITY FROM THE PLANT. YOU DON'T GET  
24 THAT BECAUSE YOU HAVE TO PAY EVERYTHING BACK.  
25 THAT IS NOT FAIR. WHEN WE GET OUR STATE





1 IDAHO FALLS, I KNOW WHAT A COMPANY TOWN IS TOO.

2 SPEAKER: YES, IT IS A COMPANY TOWN AND  
3 YOU CAN'T GET MEDICAL TREATMENT HERE. I JUST  
4 TOOK MY HUSBAND TWO WEEKS AGO TO THE EMERGENCY  
5 ROOM WITH HEART PROBLEMS. HE DIDN'T HAVE A  
6 HEART ATTACK, HE DIDN'T HAVE ANYTHING BUT YET  
7 HE SET THE MONITORS OFF AND THERE'S NOTHING  
8 WRONG WITH HIM, BUT THEY SENT HIM HOME WITH  
9 NITROGLYCERIN. DOES THAT MAKE ANY SENSE? NO.  
10 BUT WE CANNOT CHOOSE A DOCTOR OR GO GET THE  
11 HELP THAT WE NEED. THIS IS SO FRUSTRATING. MY  
12 HUSBAND HAS THE TREMORS. THERE IS NO REASON HE  
13 SHOULD HAVE THE TREMORS, BUT NOW IT IS BECAUSE  
14 HE IS ON ALL THIS MEDICATION. HE HAS FAT ON  
15 HIS LUNGS, THEY CALL IT, THEY SAID IT WAS  
16 PLEURA PLAQUE, WELL, NOW IT IS FAT, HE IS  
17 OVERWEIGHT. HE WAS NOT OVERWEIGHT WHEN THEY  
18 FIRST SHOWED UP. I DON'T UNDERSTAND WHY THESE  
19 POOR WORKERS ARE TREATED LIKE STEPCHILDREN.  
20 YOU ALL NEED TO DO SOMETHING AND QUIT PLAYING  
21 AROUND WITH PEOPLES' LIVES.

22 MR. LAWSON: THANK YOU, MA'AM.

23 SPEAKER: TO ADD ONE THING TO WHAT SHE  
24 SAID. I'M A WIDOW AND HAVE BEEN FOR FOUR  
25 YEARS. AND THIS IS WHAT ANGERS ME BECAUSE AS I

1 GET OLDER, I'M NEARLY SEVENTY, I'M OFFERED  
2 SEVENTY-FIVE THOUSAND DOLLAR LIFETIME INSURANCE  
3 THAT I PAY FOR, SEVENTY-FIVE THOUSAND. IF I  
4 WENT IN THE HOSPITAL AND HAD TO HAVE A CARDIAC  
5 CATH AND WHATEVER ELSE THAT MAY FOLLOW IT, HOW  
6 LONG IS THAT SEVENTY-FIVE THOUSAND GOING TO  
7 LAST ME. THAT IS WHAT WIDOWS HAVE.  
8 SEVENTY-FIVE THOUSAND. WOULD YOU ACCEPT THAT  
9 FOR YOUR WIFE IF YOU ARE MARRIED? OR YOU? NO,  
10 YOU WOULD NOT. SEVENTY-FIVE THOUSAND. I HOPE  
11 ALL OF YOU UNDERSTAND THAT, YOU WIDOWS, IF YOU  
12 ARE WIDOWS SITTING IN HERE. LOOK AT YOUR  
13 INSURANCE POLICY.

14 MR. LAWSON: THANK YOU ALL VERY MUCH.

15 SPEAKER: EXCUSE ME, SOMEONE WANTED TO  
16 KNOW WHY, IF YOU ALL REALLY WANTED TO KNOW THE  
17 TRUTH, WHY ARE WE STOPPING AT EIGHT O'CLOCK?

18 (APPLAUSE)

19 MR. LAWSON: I HAVE BEEN TOLD, MA'AM,  
20 THAT THE IDEA WAS SO THAT EVERYBODY HERE WHO  
21 HAS NOT HAD AN OPPORTUNITY WILL HAVE MORE OF AN  
22 OPPORTUNITY TO TALK TO INDIVIDUALS. WE HAVE  
23 HAD AN HOUR AND A HALF FOR INDIVIDUAL CASES,  
24 BUT WHAT IF WE HAD MAYBE TWENTY-FIVE OR THIRTY  
25 PEOPLE, THERE IS A CHANCE NOW FOR OTHER PEOPLE

1 TO TALK TO THESE RESOURCE PEOPLE.

2 SPEAKER: THE OAK RIDGE FACILITY SHOULD  
3 BE GIVEN MORE TIME THAN SOME OF YOUR OTHER  
4 SITES ACROSS THE NATION BEING THE FACT THAT YOU  
5 HAVE THREE DOE FACILITIES WITHIN A TWELVE MILE  
6 RADIUS. THEREFORE, WE HAVE THE LARGEST NUMBER  
7 OF SICK WORKERS THAN ANY OTHER SITE IN THE  
8 COUNTRY. ANOTHER FACT IS THAT DOE SPENDS SEVEN  
9 BILLION DOLLARS A YEAR ON CLEANUP OF TOXIC DIRT  
10 AND IT IS TIME THAT SOME MONEY BE SPENT ON THE  
11 TOXIC WORKERS. THERE ARE MORE PEOPLE IN THIS  
12 ROOM THAT WOULD LIKE TO SPEAK AND WE WOULD LIKE  
13 YOU TO KNOW THAT WE ARE TAXPAYERS AND WE WOULD  
14 LIKE SOME MORE TIME, IF POSSIBLE, PLEASE.

15 MS. COOK: I HOPE THAT NOBODY TAKES THIS  
16 AS AN IMPLICATION THAT I DON'T EVER INTEND TO  
17 COME BACK TO OAK RIDGE AGAIN. I'VE BEEN HERE  
18 BEFORE, I INTEND TO BE BACK AGAIN IN THIS JOB.  
19 WHAT I WANT TO DO IS GET THIS PROGRAM WORKING  
20 AND UP AND GOING. WHY I HAVE TO GET BACK  
21 TOMORROW MORNING IS EXACTLY FOR THAT. I THINK  
22 THAT THAT IS THE ROLE THAT I NEED TO SERVE FOR  
23 ALL OF YOU AND I'LL CERTAINLY BE BACK HERE  
24 AGAIN. AS WE MOVE OUT AND WE IMPLEMENT,  
25 ESPECIALLY THE SUBTITLE D PART, AND WE CAN ALL

1           WORK TOGETHER TO FIGURE OUT WHAT WE WANT TO  
2           HAVE HAPPEN NEXT.

3                   MR. LAWSON: BEFORE WE BREAK HERE, I  
4           WANT TO MAKE A COUPLE OF ADDITIONAL POINTS  
5           HERE. FIRST OF ALL, ONLY FOUR PEOPLE FROM THIS  
6           SESSION HAVE SIGNED UP SO FAR FOR AN  
7           APPOINTMENT AT THE RESOURCE CENTER SO IF ANY OF  
8           YOU HAVE A CASE THAT YOU WOULD LIKE TO DEAL  
9           WITH, THERE ARE PEOPLE HERE WHO CAN SET UP AN  
10          APPOINTMENT TO HELP YOU IN PARTICULAR. NUMBER  
11          TWO; THESE FOLKS ARE GOING TO STAY HERE SO IF  
12          YOU HAVE A QUESTION YOU WOULD LIKE TO DIRECT TO  
13          THEM, YOU CAN GO SPECIFICALLY TO THAT PERSON  
14          AND WE ENCOURAGE YOU TO DO THAT. NUMBER THREE  
15          IS THAT EARLIER WE DID NOT REALIZE THAT THE  
16          SENIOR FIELD REPRESENTATIVE FROM SENATOR BILL  
17          FRIST'S OFFICE IS HERE AND HAS BEEN HERE  
18          TONIGHT. THAT IS CAROLYN CARTER JENSON, WE  
19          WANTED TO MAKE THAT NOTE. AND ALSO BEFORE  
20          PEOPLE LEAVE, I WANT YOU TO KNOW THAT EVERYBODY  
21          APPRECIATES YOUR COMING AND SHARING YOUR STORY  
22          BECAUSE WE KNOW IT IS NOT THAT EASY. ALSO WANT  
23          TO THANK THE PANELISTS FOR BEING HERE. YOU CAN  
24          SEE THE LINES ARE ALREADY FORMING HERE. IF  
25          YOU'D LIKE TO SPEAK TO THEM, YOU ARE PERFECTLY

1           WELCOME TO DO THAT. WE ENCOURAGE THAT. THANK  
2           YOU VERY MUCH FOR COMING. WE APPRECIATE IT.  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

I, JOAN S. ROBERTS, NOTARY PUBLIC AT LARGE  
FOR THE STATE OF TENNESSEE AND COURT REPORTER  
DO HEREBY ACKNOWLEDGE THAT THE FOREGOING ONE HUNDRED  
NINE (109) PAGES ARE A TRUE AND CORRECT TRANSCRIPT OF  
THE PUBLIC MEETING TAKEN BY ME IN THIS CAUSE ON THE  
3RD DAY OF JUNE, 2002.

THIS THE 25TH DAY OF JUNE, 2002.

\_\_\_\_\_  
JOAN S. ROBERTS, COURT REPORTER

